

PATENT

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Inventor	:	POLIS, Jared S.
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For	:	COMPUTERIZED CONTROL SYSTEM LOCATED AT AN ORDER CENTER FOR SHIPPING PRODUCT FROM A REMOTELY LOCATED DISTRIBUTION CENTER
Group Art Unit	:	3876
Examiner	:	Sough, Hyung Sub

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MS: Appeal  
Honorable Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 2231301459

**BRIEF ON APPEAL**  
**ON BEHALF OF APPELLANT**

S I R :

This is an appeal from the Final Action of the Examiner dated July 5, 2007, rejecting claims 1-325 pending in this application.

Please charge the fee under 37 C.F.R. § 1.17, the fee for any Extension of Time for filing of this Brief, and any other fee necessary for filing this Brief on Appeal, or for further prosecution, to Deposit Account No. 50-0235.

**I. Real Party In Interest**

Appellant, Provide Commerce, Inc., is the real party in interest in this matter.

**II. Related Appeals and Interferences**

There are no related appeals or interferences believed to be related.

**III. Status of Claims**

Claims 1-325 have been rejected pursuant to 35 U.S.C. § 112, second paragraph.

**IV. Status of Amendments Filed Subsequent to Final Rejection**

There have been no amendments filed subsequent to the rejection from which this appeal is taken.

**V. Summary of the Claimed Subject Matter**

The claimed subject matter pertains to a method for using an order center apparatus to ship a product. The method may include the steps of: producing signals representing a packing list for an order of the product with the order center apparatus, located at an order center, the order center apparatus including a computer having a programmed processor; assigning waybill shipping information signals to the order with a shipping apparatus including a digital computer; linking, by digital communication, the signals representing the packing list with the order center apparatus, located at an order center, the order center apparatus including a computer having a programmed processor; assigning waybill shipping information signals to the order with a shipping apparatus including a digital computer; linking, by digital communication, the signals representing the packing list with the waybill shipping information signals; receiving the signals representing the packing list at a printer device at a distribution center located separately from the order center; printing the packing list at the printer device; and shipping the product specified by the packing list, in accordance with the waybill shipping information signals, from the distribution center.

More particularly, please see the chart below and note that one manner of viewing support for claim 1 is as follows:

1. A method for using an order center apparatus to ship a product, the method including the steps of:

producing signals representing a packing list for an order of the product with the order center apparatus, located at an order center, the order center apparatus including a computer having a programmed processor;

assigning waybill shipping information signals to the order with a shipping apparatus including a digital computer;

linking, by digital communication, the signals representing the packing list with the waybill shipping information signals;

receiving the signals representing the packing list at a printer device at a distribution center located separately from the order center;

printing the packing list at the printer device; and

It is an object of the present invention to provide...computer apparatus located at an order center for shipping a product... Page 6, para 1, lines 2-4

It is an object of the present invention to provide... a packing list with the shipping information signals;... Page 6, para 1, lines 2-6

...assigning shipping information signals to the consumer order;... Page 6, para 1, line 5

... linking, by digital communication, the signals; a packing list with the shipping information signals; Page 6, para 1, lines 5-6

...printing the packing list and the shipping information signals at a printer at a distribution center; and shipping the product, along with the shipping label, from the distribution center...

Page 6, para 1, lines 6-8

... printing and shipment along with the shipping label, at the printing device at the

shipping the product specified by the packing list, in accordance with the waybill shipping information signals, from the distribution center.

2. The method of claim 1, further including the step of:  
receiving a customized component at the order center apparatus, from an ordering system including a computer; and wherein:

the step of linking includes linking the signals representing the packing list with the signals representing the customized component;

the step of receiving includes receiving the signals representing the

distribution center. Page 6, para 2, lines 11-12

... printing and shipment along with the shipping label, at the printing device at the distribution center. Page 6, para 2, lines 11-12

It is another object of the present invention to provide an apparatus, method, and ... involving computer-implemented conveyance of a consumer-composed element, such as a greeting card,... Page 6, para 2, lines 9-11

...associating an order code signals with each said consumer order at the ordering apparatus, obtaining shipping status information signals from the digital electrical computer shipping system, and combining these signals at a machine-readable site... Page 7, para 2, lines 10-12

...computer-implemented conveyance of a consumer-composed element, such as a

customized component at the printer device;

the step of printing includes printing the customized component, along with the packing list and a shipping label, at the printing device; and

the step of shipping is carried out by shipping the customized component, along with the product, from the distribution center.

3. The method of claim 1, wherein the step of producing signals representing a packing list and said step of printing the packing list are carried out by using flowers as the product.

4. The method of claim 3, further comprising the step of growing the flowers at the distribution center.

greeting card, at the printing device at the distribution center. Page 6, para 2, lines 10-12

It is another object of the present invention to provide an apparatus, method, and article of manufacture involving computer-implemented conveyance of a consumer-composed element, such as a greeting card, from the ordering center to the distribution center for printing and shipment along with the shipping label, at the printing device at the distribution center. Page 6, para 2, lines 9-12

Printing at the device signals those at the distribution center (e.g., flower grower) to package flowers according to the packaging label, package them with suitable packaging in a box with the consumer-composed greeting card message, and attach the shipping label to the box. Page 8, para 1, lines 12-15

...the method is carried out by growing the flowers at the distribution center. Page 17, para 2, lines 22-23

5. The method of claim 3, wherein the step of printing includes printing on a sheet in the printer device; and further including the step of:

locating demarcations on the sheet for detaching a shipping label from the packing list at the demarcations.

6. The method of claim 3, further including the step of locating a perforation on the sheet for detaching a shipping label from the packing list at the perforation.

7. The method of claim 3, further including the steps of:  
receiving a message at the order center apparatus, from an ordering system including a computer, said message from a user of the ordering system to a recipient of the flowers; and wherein:

the step of linking includes linking

...involving use of a sheet for the printing at the local distribution center,... Page 6, para 4, line 16

...the sheet having demarcations, preferably perforations, such that the packing list, shipping label, ... can be conveniently separated. Page 6, para 4, lines 16-20

...The Sheet 52 is separated at Perforations 57,... Page 14, para 2, line 16

...entering more of the input data at the input device to produce more of the output electrical signals representing a consumer-composed message to a recipient of the flowers; Page 18, para 1, lines 4-6

...linking, by digital communication, the signals

the signals representing the packing list with signals representing the message; and

the step of printing includes printing the message, along with the packing list and a shipping label, at the printing device at the distribution center; and

the step of shipping is carried out by shipping the message, along with the product, from the distribution center.

8. The method of claim 7, wherein the step of printing includes printing the message at the printing device on a greeting card having preprinted artwork.

9. The method of claim 5, wherein the step of printing is carried out with the sheet including a greeting card having preprinted artwork and demarcations for detaching the greeting card; and wherein the step of shipping includes separating the packaging list and the

representing packing list with the signals representing the consumer-composed element... Page 18, para 1, lines 7-8

...printing the consumer-composed element, along with the packing list and the shipping label, at the printing device at the distribution center...Page 18, para 1, lines 10-12

...shipping the consumer-composed element, along with the product and the shipping information, from the distribution center. Page 18, para 1, lines 12-14

...printing on a sheet in the printer device; and further including the step of locating a sheet in the printer, the sheet including a greeting card having preprinted artwork... Page 18, para 2, lines 16-18

...printing on a sheet in the printer device; and further including the step of locating a sheet in the printer, the sheet including a greeting card having preprinted artwork and demarcations for detaching the greeting card from the packing list and the shipping label; and wherein the step of shipping includes separating the packaging

greeting card at the demarcations.

list, the shipping information, and the greeting card by tearing the sheet at the demarcations.

Page 18, para 2, lines 16-21

10. The method of claim 3, wherein the step of assigning the waybill shipping information signals includes dynamically assigning the shipping information signals through a TCP/IP connection.

...assigning the shipping information signals includes dynamically assigning the shipping information signals through a TCP/IP connection. Page 18, para 3, lines 22-24.

11. The method of claim 3, further including the step of:  
translating some of the signals, at the order center apparatus, to produce the signals representing the packing list and the shipping list signals in one digital format.

...translating at the ordering apparatus to produce the signals representing the packing list and the shipping list signals in one digital format. Page 18, para 3, line 25-Page 19, line 1

12. The method of claim 3, wherein the step of printing is carried out with the printing device being a fax machine; and further including the step of connecting the fax machine to a communications system for receiving of the

...printing device being a fax machine; and further including the step of connecting the fax machine to a communications system for the receiving of the signals representing the packing list and the shipping information



signals representing the packing list and for receiving the shipping information signals.

13. The method of claim 12, wherein the step of connecting includes connecting an open end network gateway to a remote fax server and connecting the remote fax server to the fax machine.

14. The method of claim 12, wherein the step of connecting includes connecting a remote fax server with a fax modem in a local calling area of the distribution center and connecting the fax modem to the fax machine.

15. The method of claim 3, further including the steps of:  
associating an order code with said order;

obtaining shipping status information from the shipping apparatus; and

signals. Page 19, para 1/2, lines 2-4

...transmitting via an open end network gateway to a remote fax server for a subsequent transmitting over the communications system to the fax machine.

Page 19, para 1, lines 5-7

...transmitting by including transmitting to a remote fax server with a fax modem in a local calling area of the distribution center for a subsequent transmitting to over the communications system to the fax machine.

Page 19, para 1, lines 8-10

associating an order code signals with each said consumer order at the ordering apparatus;... Page 19, para 2, line 12

...obtaining shipping status information signals from the digital electrical computer shipping System... Page 19, para 2, lines 13-14

associating the order code with the shipping status information at a machine-readable site having a network gateway address in facilitating access by an ordering system, including a computer, to determine the shipping status associated with the order.

16. The method of claim 3, wherein said step of shipping includes shipping the product in packaging displaying a network address to facilitate an electronic communication from an ordering system, including a computer, to the order center apparatus.

17. The method of claim 3, further including the steps of:

connecting an ordering system, including a computer, to a network gateway; and

connecting the network gateway to the order center apparatus.

...combining the order code signals with the status information signals at a machine-readable site having a network gateway address for access by a consumer's digital electrical computer. Page 19, para 2, lines 14-16

... printing a network gateway address on publicly distributed notices, such as packaging for the product to facilitate an electronic communication from a consumer's digital electrical computer to the order center. Page 19, para 3, lines 18-20

...electrically connecting the consumer computer to a network gateway... Page 19, para 3, lines 22-23

electrically connecting the network gateway to the processor. Page 19, para 3, line 23

18. The method of claim 3,  
further including the steps of:

receiving ordering information at the  
order center by telephone; and

entering the ordering information as  
input data to the order center apparatus in  
producing the signals representing the  
packing list.

19. The method of claim 1,  
further comprising the step of

producing the product at the  
distribution center.

20. The method of claim 1,  
wherein the step of printing includes printing  
on a sheet in the printer device; and further  
including the step of locating a demarcation  
on a sheet in the printer device for  
detaching the packing list from a shipping  
label.

...providing telephones at the order center for  
receiving acoustic ordering information for use  
as the input data... Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input  
device to produce more of the output electrical  
signals representing a customizable--preferably  
consumer-composed--message to a recipient  
of the product... Page 20, para 1, lines 7-10

...producing the product at the distribution  
center. Page 20, para 1, line 3.

...printing on a sheet in the printer device; and  
further including the step of: locating  
demarcations on the sheet in the printer device  
to detach the packing list from the shipping  
label. Page 17, para 3, line 24- Page 18, line 3

21. The method of claim 1, wherein the step of printing includes printing on a sheet in the printer device; and further including the step of locating a perforation on the sheet for detaching a shipping label from the packing list at the perforation.

22. The method of claim 1, further including the steps of:

receiving signals representing a customized component at the order center apparatus, from an ordering system including a computer, the customized component including a message from a user of the ordering system to a recipient of the product; and wherein:

the step of linking includes linking the signals representing the packing list with the signals representing the customized component;

the step of printing includes printing the customized component, along with the packing list and a shipping label, at the

...locating demarcations on a sheet in the printer device to detach the packing list and the shipping label--preferably also with the demarcations including perforations to detach the packing list from the shipping label. Page 19, para 1, lines 5-7

...entering more of the input data at the input device to produce more of the output electrical signals representing a consumer-composed message to a recipient of the flowers... Page 17, para 1, lines 4-6

...linking, by digital communication, the signals representing packing list with the signals representing the consumer-composed element... Page 17, para 1, lines 7-8

...printing the consumer-composed element, along with the packing list and the shipping label, at the printing device at the distribution

printing device at the distribution center;  
and

the step of shipping is carried out by shipping the customized component, along with the product, from the distribution center.

23. The method of claim 22, wherein the step of printing the customized component includes printing the message on a greeting card at the distribution center.

24. The method of claim 22, wherein the step of printing is carried out by locating a sheet in the printer, the sheet including a greeting card for the message and having preprinted artwork and a demarcation for detaching the greeting card from the packing list; and further including the step of separating the packing list from the greeting card by tearing the sheet at the demarcation.

25. The method of claim 22,

center... Page 17, para 1, lines 10-12

...shipping the consumer-composed element, along with the product and the shipping information, from the distribution center. Page 17, para 1, lines 12-14

...computer-implemented conveyance... a greeting card, from the ordering center to the distribution center for printing...at the printing device at the distribution center. Page 5, para 2, lines 10-12

...printing on a sheet in the printer device; and further including the step of locating a sheet in the printer, the sheet including a greeting card having preprinted artwork and demarcations for detaching the greeting card from the packing list and the shipping label; and wherein the step of shipping includes separating the packaging list, the shipping information, and the greeting card by tearing the sheet at the demarcations. Page 17, para 2, lines 16-21

...printing a graphical element as part of the

wherein the step of printing the customized element includes printing a graphical element as part of the customized component.

26. The method of claim 1, wherein the step of assigning the waybill shipping information signals includes dynamically assigning the shipping information signals through a TCP/IP connection.

27. The method of claim 1, further including the step of:

translating some of the signals, at the order center apparatus, to produce the signals representing the packing list and the shipping signals in one digital format.

28. The method of claim 1, wherein the step of printing is carried out by using a fax machine as the printing device; and further including the step of connecting the fax machine to a communications

consumer-composed message. Page 20, para 1, line 24

Order Center System 26 and Financial Institution System 33 and Courier Shipping System 44 each can communicate and be linked individually or collectively to Communication System 14, preferably by a TCP/IP 18 connection. Page 13, para 3, lines 16-18

...translating at the ordering apparatus to produce the signals representing the packing list and the shipping list signals in one digital format. Page 18, para 3, line 25- Page 19, line 1

...transmitting and printing can be carried out with the printing device being a fax machine; and further including the step of connecting the fax machine to a communications system for

system for the receiving of the signals representing the packing list.

29. The method of claim 28, wherein the step of connecting includes connecting via an open end network gateway to a remote fax server and connecting the remote fax server to the fax machine.

30. The method of claim 28, wherein the step of connecting includes connecting to a remote fax server with a fax modem in a local calling area of the distribution center for a subsequent communication to the fax machine.

31. The method of claim 1, further including the steps of:

associating an order code with said order;

obtaining shipping status information from the shipping apparatus; and

the receiving of the signals representing the packing list and the shipping information signals. Page 19, lines 2-4

...via an open end network gateway to a remote fax server for a subsequent transmitting over the communications system to the fax machine. Page 18, para 1, lines 6-7

...remote fax server with a fax modem in a local calling area of the distribution center for a subsequent transmitting to over the communications system to the fax machine. Page 18, para 1, lines 8-10

...associating an order code signals with each said consumer order... Page 18, para 2, line 12  
...obtaining shipping status information signals from...shipping system... Page 18, para 2, lines 13-14

associating the order code with the status information at a machine-readable site having a network gateway address in facilitating access by a computer to determine shipping status associated with the order.

32. The method of claim 1, wherein said step of shipping includes shipping the product in packaging displaying a network gateway address to facilitate an electronic communication from an ordering system, including a computer, to the order center apparatus.

33. The method of claim 1, further including the steps of:  
connecting an ordering system, including a computer, to a network gateway;  
and  
connecting the network gateway to the order center apparatus.

...combining the order code signals with the status information signals at a machine-readable site having a network gateway address for access by a consumer's digital electrical computer. Page 18, para 2, lines 14-16

...printing a network gateway address on publicly distributed notices, such as packaging for the product to facilitate an electronic communication from a consumer's digital electrical computer to the order center. Page 19, para 3, lines 18-20

...making the processor electrically connected to the input device by electrically connecting the input device to a consumer computer, and electrically connecting the consumer computer to a network gateway, and electrically connecting the network gateway to the processor. Page 19, para 3, lines 21-23



34. The method of claim 1,  
further including the steps of  
receiving ordering information at the  
order center by telephone; and

entering the ordering information as  
input data to the order center apparatus in  
producing the signals representing the  
packing list.

35. The method of claim 1,  
further including the steps of:  
prior to carrying out the step of  
shipping the product, verifying availability on  
a charge card to pay for the product with an  
electrical communication from the order  
center apparatus to a charge card system,  
including a computer; and

subsequent to carrying out the step  
of shipping the product, sending a second  
electronic communication to the charge  
card system to obtain payment for the  
product.

providing telephones at the order center for  
receiving acoustic ordering information for use  
as the input data. Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input ...  
the signals representing packing list with the  
signals representing the consumer-composed  
element... Page 20, para 1, lines 8-12

Credit cards are always verified for correct  
format. Real-time verification and processing is  
done... Page 96, para 1, lines 2-3

...processing the shipping information to  
trigger a second electronic communication to  
the charge card digital electrical computer  
system charging the payment to the charge  
card subsequent to the shipping the product.

36. The method of claim 35,  
further including the steps of:

scanning a shipping label to obtain  
scanning data;

transmitting the scanning data to  
trigger the step of sending a second  
electronic communication.

...scanning the shipping label to obtain

scanning data... Page 21, para 2, line 11

...transmitting the scanning data to the...to

trigger the charging of the charge card. Page

21, para 2, lines 11-13

37. A system facilitating a product  
shipment, the system including:

an order center apparatus, located  
at an order center, producing signals  
representing a packing list for an order of a  
product, the order center apparatus  
including a computer having a programmed  
processor;

...an ordering apparatus located at

an order center, the ordering apparatus

including a digital electrical computer having a  
processor... Page 22, lines 18-20

a shipping apparatus, including a  
digital computer, assigning waybill shipping  
information signals for the order;

...computer shipping system controlled by a

program to assign shipping information to the  
consumer order... Page 23, lines 2-3

a printer device, located at a  
distribution center located separate from the  
order center, receiving the signals  
representing the packing list and the

...a printer device at a distribution center

located...for receiving the signals representing  
the packing list and the shipping information  
signals, and for printing a packing list and a

shipping information signals, and printing the packing list at the printer device to facilitate shipping the product specified by the packing list, in accordance with the waybill shipping information signals, from the distribution center.

38. A method for using an order center apparatus to ship a product, the method including the steps of:

receiving an order from a web site at the order center apparatus located at an order center, the order center apparatus including a computer having a processor;

controlling the processor with a computer program to the produce signals representing a packing list for the order;

receiving a waybill tracking number receiving from a shipping system including a computer;

associating signals representing the waybill tracking number with said signals representing the order;

locating a printer device at a

shipping label from the signals representing the packing list and the shipping information signals; and packaging for the product and the shipping information, combined for shipment from the distribution center. Page 23, lines 4-9

...reach a web page provided by the Order Center System 26. Page 14, para 3, line 23

... output electrical signals representing a packing list for a consumer order... Page 16, para 2, lines 14-15

...obtaining shipping status information signals from the digital electrical computer shipping system... Page 21, para 2, lines 16-17

...combining the order code signals with the status information signals at a machine-readable site... Page 21, para 2, lines 17-18

...a printer device at a distribution center

distribution center separate from the order center and separate from the shipping system;

printing the packing list at the printer device from the signals representing the packing list; and

locating the product identified by the packing list in packaging for courier shipment from the distribution center according to a waybill corresponding to the waybill tracking number.

39. A method for using an order center apparatus to ship a product, the method including the steps of:

providing the order center apparatus including a computer having a processor controlled by a computer program in producing output signals representing a packing list for an order of the product;

producing waybill shipping information signals at a shipping system, including a computer;

located remotely from the ordering center and from the shipping system... Page 23, lines 4-5

...printing a packing list and a shipping label from the signals representing the packing list ... Page 23, lines 7-8

...linking the ordering apparatus and the shipping system to a communications system for transmitting the electrical signals representing the packing list and the shipping information signals... Page 23, para 1, lines 20-22

...the ordering apparatus including a digital electrical computer having a processor, the processor electrically connected to a memory device for storing...receiving input data and converting the input data into input electrical signals... Page 23, para 1, lines 11-15  
...a digital electrical computer shipping system controlled by a program to assign shipping information to the consumer order... Page 23,

connecting the order center apparatus to a communications system, including the Internet, for transmitting the electrical signals representing the packing list;

connecting the shipping system to a communications system, including the Internet, for transmitting the electrical signals representing the waybill shipping information signals;

linking the signals representing the order with the signals representing the waybill shipping information;

locating a printer device linked to the communications system at a distribution center separate from the ordering center and separate from the shipping system;

receiving the signals representing the packing list at the printer device;

receiving the signals representing the waybill shipping information signals at

para 1, lines 19-20

...linking the ordering apparatus and the shipping system to a communications system for transmitting the electrical signals representing the packing list and the shipping information signals... Page 23, para 1, lines 20-22

...linking a printer device to the communications system...shipping information signals, and for printing a packing list and a shipping label from the signals representing the packing list and the shipping information signals... Page 23, para 1, line 22-Page 24, line 1

...linking the ordering apparatus and the shipping system... Page 23, para 1, lines 20-21

...printer device to the communications system at a distribution center located remotely from the ordering center and from the shipping system... Page 23, para 1, lines 23-24

...receiving the signals representing the packing list ... Page 23, para 1, lines 24-25

...receiving the signals representing... and the shipping information signals... Page 23, para 1,

the printer device;

printing a waybill at the printer from  
the waybill shipping information signals;

printing a packing list from the  
signals representing the packing list; and  
shipping the product specified by the  
packing list, according to the waybill, from  
the distribution center.

40. The method of claim 1,  
wherein any one of the steps of assigning  
shipping information signals, linking by  
digital communication, and receiving the  
signals representing the packing list is  
carried out by communicating over the  
Internet.

41. The method of claim 2,  
wherein all of the steps of assigning  
shipping information signals, linking by  
digital communication, and receiving the  
signals representing the packing list is

lines 24-25

...printing...a shipping label from the signals  
representing...the shipping information  
signals... Page 23, para 1, line 25-Page 24, line  
1

...printing a packing list and a shipping label  
from the signals representing the packing list  
and the shipping information signals ; and  
shipping the product and the shipping  
information, from the distribution center.

Page 23, para 1, line 25-Page 24, line 1  
... assigning shipping information signals to the  
consumer order ... digital communication, the  
signals representing the packing list with the  
shipping information signals... Page 16, para 2,  
lines 22-24  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the  
consumer order ... digital communication, the  
signals representing the packing list with the  
shipping information signals... Page 16, para 2,  
lines 22-24

carried out by communicating over the Internet.

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

42. The method of claim 3, wherein all of the steps of assigning shipping information signals linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

43. A method for using an order center apparatus to enable shipping a gift and a user-composed greeting message to a recipient, the method including the steps of:

specifying the gift and the user-composed greeting message with an ordering system, including a computer, connected to a web site; and

...reach a web page provided by the Order Center System 26. Page 14, para 3, line 23

connecting the web site to the order center apparatus including a processor controlled by a computer program to carry out steps of:

...reach a web page provided by the Order Center System 26. Page 14, para 3, line 23

linking electronic signals  
representing the gift with the user-  
composed greeting message in  
communicating over the Internet for receipt  
by the recipient;

controlling the shipping of the gift to  
the recipient by obtaining shipping waybill  
data from a shipping apparatus; and

linking signals representing the  
order with the signals representing the  
waybill shipping data.

44. The method of claim 43,  
wherein the step of communicating the  
user-composed greeting message is carried  
out by using Blue Mountain-type greeting  
card and a graphical element.

45. The method of claim 43,  
wherein the step of specifying the gift  
includes specifying flowers as the gift.

46. The method of claim 43,  
wherein the step of specifying the gift

...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25  
...the consumer composed element, along with  
the product... Page 20, para 1, lines 16-17

...communicating data representing the shipping  
information to the digital electrical computer  
apparatus... Page 22, para 2, lines 9-10  
...linking the ordering apparatus and the  
shipping system... Page 23, para 1, lines 20-21

...including a Blue Mountain greeting card or  
other gifts... Page 67, para 1, lines 1-2

...consumer order of a product is carried out  
by using flowers as the product... Page 17,  
para 2, lines 18-19

...consumer order of a product is carried out  
by using flowers as the product... Page 17,



includes specifying flowers; and further including growing the flowers at a distribution center from which the gift is shipped.

47. A method for using an order center apparatus to implement a delivery customized and fulfilled just for a recipient, the method including the steps of:

producing output electrical signals representing an order including a list of necessary intermediates of a flower arrangement for a delivery customized and fulfilled just for a recipient by causing an order center apparatus located at an order center to change input digital electrical signals received from an Internet web page into the output digital electrical signals, the order center apparatus including a computer having a processor, the processor controlled by a computer program;

assigning waybill tracking information signals to the order;

para 2, lines 18-19

...Flowers 48 are grown at the Distribution Center System 51... Page 14, para 2, line 13

Proflowers.com...the user of this service will require some guidance as to which type of flower or arrangement is appropriate for the occasion... Page 30, para 1, lines 1-9  
...the ordering apparatus including a digital electrical computer having a processor, the processor electrically connected to a memory device for storing...receiving input data and converting the input data into input electrical signals... Page 23, para 1, lines 11-15

.. communicating data representing the shipping information to the digital electrical computer... Page 22, para 2, lines 9-10

linking, by digital communication, the signals representing the list with the waybill tracking information signals;

communicating the signals representing the list to a printer device at a distribution center located remotely from the order center; and

making the delivery customized and fulfilled just for the recipient, as specified by the list, in accordance with the waybill tracking information signals, from the distribution center.

48. The process of claim 122, further including the step of communicating an email confirmation of the order to an electronic address of the ordering system computer.

49. The method of claim 2, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the

...scanning data to the digital electrical computer apparatus at the order center for processing the shipping information... Page 22, para 2, lines 12-13

...a printer device at a distribution center located remotely from the ordering center...Page 23, lines 4-56

The consumer-composed message permits delivery of something individually customized and fulfilled just for the recipient. Page 8, para 2, lines 20-21

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

50. The method of claim 3, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

51. The method of claim 4, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

52. The method of claim 5, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

53. The method of claim 6, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

54. The method of claim 7, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

55. The method of claim 8, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

56. The method of claim 9, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

57. The method of claim 10, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

58. The method of claim 11, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

59. The method of claim 12, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

60. The method of claim 13, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

61. The method of claim 14, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

62. The method of claim 15, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

63. The method of claim 16, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

64. The method of claim 17, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

65. The method of claim 18, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

66. The method of claim 19, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

67. The method of claim 20, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,



signals representing the packing list is carried out by communicating over the Internet.

68. The method of claim 21, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

69. The method of claim 22, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

70. The method of claim 23, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

71. The method of claim 24, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

72. The method of claim 25, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

73. The method of claim 26, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

74. The method of claim 27, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

75. The method of claim 28, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

76. The method of claim 29, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

77. The method of claim 30, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

78. The method of claim 31, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

79. The method of claim 32, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

80. The method of claim 33, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

81. The method of claim 34, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

82. The method of claim 35, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

83. The method of claim 36, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

84. The method of claim 2, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

85. The method of claim 3, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

86. The method of claim 4, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

87. The method of claim 5, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

88. The method of claim 6, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

89. The method of claim 7, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

90. The method of claim 8, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

91. The method of claim 9, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,



signals representing the packing list is carried out by communicating over the Internet.

92. The method of claim 10, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

93. The method of claim 11, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

94. The method of claim 12, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

95. The method of claim 13, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

96. The method of claim 14, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

97. The method of claim 15, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

98. The method of claim 16, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

99. The method of claim 17, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

100. The method of claim 18, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

101. The method of claim 19, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

102. The method of claim 20, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

103. The method of claim 21, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

104. The method of claim 22, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

105. The method of claim 23, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

106. The method of claim 24, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

107. The method of claim 25, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

108. The method of claim 26, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

109. The method of claim 27, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

110. The method of claim 28, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

111. The method of claim 29, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

112. The method of claim 30, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

113. The method of claim 31, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

114. The method of claim 32, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

115. The method of claim 33, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,



signals representing the packing list is carried out by communicating over the Internet.

116. The method of claim 34, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

117. The method of claim 35, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

118. The method of claim 36, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2, lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

... assigning shipping information signals to the consumer order ... digital communication, the signals representing the packing list with the shipping information signals... Page 16, para 2,

signals representing the packing list is carried out by communicating over the Internet.

lines 22-24

...communications system that can include ...the Internet... Page 7, para 5, lines 23-25

119. A method for making a product for shipping by using an order center apparatus, the method including the steps of:

producing signals representing a packing list for an order of the product with the order center apparatus, located at an order center, the order center apparatus including a computer having a programmed processor;

It is an object of the present invention to provide... a packing list with the shipping information signals;... Page 6, para 1, lines 2-6

assigning waybill shipping information signals to the order with a shipping apparatus including a digital computer;

...assigning shipping information signals to the consumer order;... Page 6, para 1, line 5

linking, by digital communication, the signals representing the packing list with the waybill shipping information signals;

... linking, by digital communication, the signals; a packing list with the shipping information signals; Page 6, para 1, lines 5-6

receiving the signals representing the packing list at a printer device at a distribution center located separately from

...a printer device at a distribution center located remotely from the ordering center and from the shipping system... Page 23, lines 4-5

the order center;

printing the packing list at the printer device;

producing the product; and

shipping the product specified by the packing list, in accordance with the waybill shipping information signals, from the distribution center.

120. A method for making a product for shipping by using an order center apparatus, the method including the steps of:

receiving an order from a web site at the order center apparatus including a computer having a processor;

controlling the processor with a computer program to the produce signals representing a packing list for the order;

receiving a waybill tracking number receiving from a shipping system including a computer;

associating signals representing the

...printing the packing list ... Page 6, para 1, lines 6-7

...the product was produced... Page 6, para 3, line 14

... printing and shipment along with the shipping label, at the printing device at the distribution center. Page 6, para 2, lines 11-12

...reach a web page provided by the Order Center System 26. Page 14, para 3, line 23

... output electrical signals representing a packing list for a consumer order... Page 16, para 2, lines 14-15

...obtaining shipping status information signals from the digital electrical computer shipping system... Page 21, para 2, lines 16-17

...combining the order code signals with the

waybill tracking number with said signals representing the order;

locating a printer device at a distribution center separate from the order center and separate from the shipping system;

printing the packing list at the printer device from the signals representing the packing list;

making the product; and

locating the product identified by the packing list in packaging for courier shipment from the distribution center according to a waybill corresponding to the waybill tracking number.

121. A method for making a product for shipping by using an order center apparatus, the method including the steps of:

providing the order center apparatus at an order center, the order center apparatus including a computer having a

status information signals at a machine-readable site... Page 21, para 2, lines 17-18

...a printer device at a distribution center located remotely from the ordering center and from the shipping system... Page 23, lines 4-5

...printing a packing list and a shipping label from the signals representing the packing list ... Page 23, lines 7-8

...method of making, product... Page 22, para 3, lines 15

...linking the ordering apparatus and the shipping system to a communications system for transmitting the electrical signals representing the packing list and the shipping information signals... Page 23, para 1, lines 20-22

...the ordering apparatus including a digital electrical computer having a processor, the processor electrically connected to a memory

processor controlled by a computer program in producing output signals representing a packing list for an order of the product;

producing waybill shipping information signals at a shipping system, including a computer;

linking the order center apparatus to a communications system, including the Internet, for transmitting the electrical signals representing the packing list;

linking the shipping system to a communications system, including the Internet, for transmitting the electrical signals representing the packing list;

locating a printer device linked to the communications system at a distribution

device for storing...receiving input data and converting the input data into input electrical signals... Page 23, para 1, lines 11-15

...a digital electrical computer shipping system controlled by a program to assign shipping information to the consumer order... Page 23, para 1, lines 19-20

...linking the ordering apparatus and the shipping system to a communications system for transmitting the electrical signals representing the packing list and the shipping information signals... Page 23, para 1, lines 20-22

...linking a printer device to the communications system...shipping information signals, and for printing a packing list and a shipping label from the signals representing the packing list and the shipping information signals... Page 23, para 1, line 22-Page 24, line 1

...linking the ordering apparatus and the shipping system... Page 23, para 1, lines 20-21

...printer device to the communications system at a distribution center located remotely from

center separate from the ordering center  
and separate from the shipping system;

receiving the packing list at the  
printer device;

receiving the signals representing  
the waybill shipping information signals at  
the printer device;

printing a waybill at the printer from  
the waybill shipping information signals;

printing a packing list from the  
signals representing the packing list;

producing the product; and

shipping the product specified by the  
packing list, according to the waybill, from  
the distribution center.

122. A process for making a  
product for shipping, the process including  
the steps of:

enabling a user of an ordering  
system to ship the product as a gift and  
communicate a message to a recipient by  
connecting the ordering system, including a

the ordering center and from the shipping  
system... Page 23, para 1, lines 23-24

...receiving the signals representing the packing  
list ... Page 23, para 1, lines 24-25

...receiving the signals representing... and the  
shipping information signals... Page 23, para 1,  
lines 24-25

...printing...a shipping label from the signals  
representing...the shipping information  
signals... Page 23, para 1, line 25-Page 24, line  
1

...the product was produced... Page 6, para 3,  
line 14

... shipping the product and the shipping  
information, from the distribution center.

Page 23, para 1, line 25-Page 24, line 1

...users will typically purchase flowers as a  
gift... Page 30, para 2, line 12

...making purchases on-line. Page 30, para 2,

computer, to a web site;

making the product for the shipping;  
and

connecting the web site to the order  
center apparatus including a processor  
controlled by a computer program to carry  
out steps of:

linking electronic signals  
representing the gift with the message in  
communicating over the Internet for receipt  
by the recipient;

controlling the shipping of the gift to  
the recipient by obtaining shipping waybill  
data from a shipping apparatus; and

linking signals representing the  
order with the signals representing the  
waybill shipping data.

123. A method for making a  
product for shipping by using an order  
center apparatus to implement a delivery  
customized and fulfilled just for a recipient,  
the method including the steps of:

producing output electrical signals

line 5

...method of making, product... Page 22, para  
3, lines 15

...reach a web page provided by the Order  
Center System 26. Page 14, para 3, line 23

...communications system that can include

...the Internet... Page 7, para 5, lines 23-25

...the consumer composed element, along with  
the product... Page 20, para 1, lines 16-17

...communicating data representing the shipping  
information to the digital electrical computer  
apparatus... Page 22, para 2, lines 9-10

...linking the ordering apparatus and the  
shipping system... Page 23, para 1, lines 20-21

Proflowers.com...the user of this service will

representing a list of necessary intermediates of a flower arrangement as the product for a delivery customized and fulfilled just for a recipient by causing an order center apparatus located at an order center to change input digital electrical signals received from an Internet web page into the output digital electrical signals, the order center apparatus including a computer having a processor, the processor controlled by a computer program;

assigning waybill tracking information signals to the order;

linking, by digital communication, the signals representing the list with the waybill tracking information signals;

communicating the signals representing the list to a printer device at a distribution center located remotely from the order center;

making the product; and

require some guidance as to which type of flower or arrangement is appropriate for the occasion... Page 30, para 1, lines 1-9  
...the ordering apparatus including a digital electrical computer having a processor, the processor electrically connected to a memory device for storing...receiving input data and converting the input data into input electrical signals... Page 23, para 1, lines 11-15

.. communicating data representing the shipping information to the digital electrical computer... Page 22, para 2, lines 9-10  
...scanning data to the digital electrical computer apparatus at the order center for processing the shipping information... Page 22, para 2, lines 12-13  
...a printer device at a distribution center located remotely from the ordering center...Page 23, lines 4-56  
...method of making, product... Page 22, para 3, lines 15



making the delivery customized and fulfilled just for the recipient, as specified by the list, in accordance with the waybill tracking information signals, from the distribution center.

The consumer-composed message permits delivery of something individually customized and fulfilled just for the recipient. Page 8, para 2, lines 20-21

124. The method of claim 38, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

Credit cards are always verified for correct format. Real-time verification and processing is done... Page 96, para 1, lines 2-3

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

...processing the shipping information to trigger a second electronic communication to the charge card digital electrical computer system charging the payment to the charge card subsequent to the shipping the product. Page 21, para 1, lines 6-8

125. The method of claim 39, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on

Credit cards are always verified for correct format. Real-time verification and processing is

a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

126. The method of claim 43, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

done... Page 96, para 1, lines 2-3

...processing the shipping information to trigger a second electronic communication to the charge card digital electrical computer system charging the payment to the charge card subsequent to the shipping the product.

Page 21, para 1, lines 6-8

Credit cards are always verified for correct format. Real-time verification and processing is done... Page 96, para 1, lines 2-3

...processing the shipping information to trigger a second electronic communication to the charge card digital electrical computer system charging the payment to the charge card subsequent to the shipping the product.

127. The method of claim 47,  
further including the steps of:

prior to carrying out the step of  
shipping the product, verifying availability on  
a charge card to pay for the product with an  
electrical communication from the order  
center apparatus to a charge card system,  
including a computer; and

subsequent to carrying out the step  
of shipping the product, sending a second  
electronic communication to the charge  
card system to obtain payment for the  
product.

128. The method of claim 119,  
further including the steps of:

prior to carrying out the step of  
shipping the product, verifying availability on  
a charge card to pay for the product with an  
electrical communication from the order  
center apparatus to a charge card system,  
including a computer; and

subsequent to carrying out the step  
of shipping the product, sending a second

Page 21, para 1, lines 6-8

Credit cards are always verified for correct  
format. Real-time verification and processing is  
done... Page 96, para 1, lines 2-3

...processing the shipping information to  
trigger a second electronic communication to  
the charge card digital electrical computer  
system charging the payment to the charge  
card subsequent to the shipping the product.  
Page 21, para 1, lines 6-8

Credit cards are always verified for correct  
format. Real-time verification and processing is  
done... Page 96, para 1, lines 2-3

...processing the shipping information to  
trigger a second electronic communication to

electronic communication to the charge card system to obtain payment for the product.

129. The method of claim 120, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

130. The method of claim 121, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order

the charge card digital electrical computer system charging the payment to the charge card subsequent to the shipping the product.

Page 21, para 1, lines 6-8

Credit cards are always verified for correct format. Real-time verification and processing is done... Page 96, para 1, lines 2-3

...processing the shipping information to trigger a second electronic communication to the charge card digital electrical computer system charging the payment to the charge card subsequent to the shipping the product.  
Page 21, para 1, lines 6-8

Credit cards are always verified for correct format. Real-time verification and processing is done... Page 96, para 1, lines 2-3

center apparatus to a charge card system,  
including a computer; and

subsequent to carrying out the step  
of shipping the product, sending a second  
electronic communication to the charge  
card system to obtain payment for the  
product.

131. The process of claim 122,  
further including the steps of:

prior to carrying out the step of  
shipping the product, verifying availability on  
a charge card to pay for the product with an  
electrical communication from the order  
center apparatus to a charge card system,  
including a computer; and

subsequent to carrying out the step  
of shipping the product, sending a second  
electronic communication to the charge  
card system to obtain payment for the  
product.

132. The method of claim 123,  
further including the steps of:

...processing the shipping information to  
trigger a second electronic communication to  
the charge card digital electrical computer  
system charging the payment to the charge  
card subsequent to the shipping the product.

Page 21, para 1, lines 6-8

Credit cards are always verified for correct  
format. Real-time verification and processing is  
done... Page 96, para 1, lines 2-3

...processing the shipping information to  
trigger a second electronic communication to  
the charge card digital electrical computer  
system charging the payment to the charge  
card subsequent to the shipping the product.

Page 21, para 1, lines 6-8

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

133. The method of claim 2, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the

Credit cards are always verified for correct format. Real-time verification and processing is done... Page 96, para 1, lines 2-3

...processing the shipping information to trigger a second electronic communication to the charge card digital electrical computer system charging the payment to the charge card subsequent to the shipping the product. Page 21, para 1, lines 6-8

Credit cards are always verified for correct format. Real-time verification and processing is done... Page 96, para 1, lines 2-3

...processing the shipping information to trigger a second electronic communication to the charge card digital electrical computer system charging the payment to the charge

product.

134. The method of claim 3,  
further including the steps of:

prior to carrying out the step of  
shipping the product, verifying availability on  
a charge card to pay for the product with an  
electrical communication from the order  
center apparatus to a charge card system,  
including a computer; and

subsequent to carrying out the step  
of shipping the product, sending a second  
electronic communication to the charge  
card system to obtain payment for the  
product.

135. The method of claim 4,  
further including the steps of:

prior to carrying out the step of  
shipping the product, verifying availability on  
a charge card to pay for the product with an  
electrical communication from the order  
center apparatus to a charge card system,  
including a computer; and

card subsequent to the shipping the product.

Page 21, para 1, lines 6-8

Credit cards are always verified for correct  
format. Real-time verification and processing is  
done... Page 96, para 1, lines 2-3

...processing the shipping information to  
trigger a second electronic communication to  
the charge card digital electrical computer  
system charging the payment to the charge  
card subsequent to the shipping the product.

Page 21, para 1, lines 6-8

Credit cards are always verified for correct  
format. Real-time verification and processing is  
done... Page 96, para 1, lines 2-3

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

136. The method of claim 7, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

137. The method of claim 15, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on

...processing the shipping information to trigger a second electronic communication to the charge card digital electrical computer system charging the payment to the charge card subsequent to the shipping the product.

Page 21, para 1, lines 6-8

Credit cards are always verified for correct format. Real-time verification and processing is done... Page 96, para 1, lines 2-3

...processing the shipping information to trigger a second electronic communication to the charge card digital electrical computer system charging the payment to the charge card subsequent to the shipping the product.

Page 21, para 1, lines 6-8

Credit cards are always verified for correct



a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

138. The method of claim 22, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

format. Real-time verification and processing is done... Page 96, para 1, lines 2-3

...processing the shipping information to trigger a second electronic communication to the charge card digital electrical computer system charging the payment to the charge card subsequent to the shipping the product.

Page 21, para 1, lines 6-8

Credit cards are always verified for correct format. Real-time verification and processing is done... Page 96, para 1, lines 2-3

...processing the shipping information to trigger a second electronic communication to the charge card digital electrical computer system charging the payment to the charge card subsequent to the shipping the product.

Page 21, para 1, lines 6-8

139. The method of claim 27,  
further including the steps of:

prior to carrying out the step of  
shipping the product, verifying availability on  
a charge card to pay for the product with an  
electrical communication from the order  
center apparatus to a charge card system,  
including a computer; and

subsequent to carrying out the step  
of shipping the product, sending a second  
electronic communication to the charge  
card system to obtain payment for the  
product.

140. The method of claim 1,  
further including the steps of:

providing a telephone for receiving  
ordering information as an alternative to  
receiving the ordering information over the  
Internet; and

entering the ordering information  
into the order center apparatus.

Credit cards are always verified for correct  
format. Real-time verification and processing is  
done... Page 96, para 1, lines 2-3

...processing the shipping information to  
trigger a second electronic communication to  
the charge card digital electrical computer  
system charging the payment to the charge  
card subsequent to the shipping the product.  
Page 21, para 1, lines 6-8

...providing telephones at the order center for  
receiving acoustic ordering information for use  
as the input data... Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input  
device to produce more of the output electrical  
signals representing a customizable--preferably  
consumer-composed--message to a recipient

141. The method of claim 2,  
further including the steps of:

providing a telephone for receiving  
ordering information as an alternative to  
receiving the ordering information over the  
Internet; and

entering the ordering information  
into the order center apparatus.

142. The method of claim 3,  
further including the steps of:

providing a telephone for receiving  
ordering information as an alternative to  
receiving the ordering information over the  
Internet; and

entering the ordering information  
into the order center apparatus.

143. The method of claim 4,  
further including the steps of:

of the product... Page 20, para 1, lines 7-10

...providing telephones at the order center for  
receiving acoustic ordering information for use  
as the input data... Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input  
device to produce more of the output electrical  
signals representing a customizable--preferably  
consumer-composed--message to a recipient  
of the product... Page 20, para 1, lines 7-10

...providing telephones at the order center for  
receiving acoustic ordering information for use  
as the input data... Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input  
device to produce more of the output electrical  
signals representing a customizable--preferably  
consumer-composed--message to a recipient  
of the product... Page 20, para 1, lines 7-10

providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and

entering the ordering information into the order center apparatus.

144. The method of claim 7, further including the steps of:

providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and

entering the ordering information into the order center apparatus.

145. The method of claim 15, further including the steps of:

providing a telephone for receiving ordering information as an alternative to

...providing telephones at the order center for receiving acoustic ordering information for use as the input data... Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input device to produce more of the output electrical signals representing a customizable--preferably consumer-composed--message to a recipient of the product... Page 20, para 1, lines 7-10

...providing telephones at the order center for receiving acoustic ordering information for use as the input data... Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input device to produce more of the output electrical signals representing a customizable--preferably consumer-composed--message to a recipient of the product... Page 20, para 1, lines 7-10

...providing telephones at the order center for receiving acoustic ordering information for use

receiving the ordering information over the Internet; and

entering the ordering information into the order center apparatus.

146. The method of claim 27, further including the steps of:

providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and

entering the ordering information into the order center apparatus.

147. The method of claim 38, further including the steps of:

providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and

as the input data... Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input device to produce more of the output electrical signals representing a customizable--preferably consumer-composed--message to a recipient of the product... Page 20, para 1, lines 7-10

...providing telephones at the order center for receiving acoustic ordering information for use as the input data... Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input device to produce more of the output electrical signals representing a customizable--preferably consumer-composed--message to a recipient of the product... Page 20, para 1, lines 7-10

...providing telephones at the order center for receiving acoustic ordering information for use as the input data... Page 19, para 4, line 25-  
Page 20, line 1

entering the ordering information  
into the order center apparatus.

148. The method of claim 39,  
further including the steps of:

providing a telephone for receiving  
ordering information as an alternative to  
receiving the ordering information over the  
Internet; and

entering the ordering information  
into the order center apparatus.

149. The method of claim 47,  
further including the steps of:

providing a telephone for receiving  
ordering information as an alternative to  
receiving the ordering information over the  
Internet; and

entering the ordering information  
into the order center apparatus.

...entering more of the input data at the input  
device to produce more of the output electrical  
signals representing a customizable--preferably  
consumer-composed--message to a recipient  
of the product... Page 20, para 1, lines 7-10

...providing telephones at the order center for  
receiving acoustic ordering information for use  
as the input data... Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input  
device to produce more of the output electrical  
signals representing a customizable--preferably  
consumer-composed--message to a recipient  
of the product... Page 20, para 1, lines 7-10

...providing telephones at the order center for  
receiving acoustic ordering information for use  
as the input data... Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input  
device to produce more of the output electrical  
signals representing a customizable--preferably

consumer-composed--message to a recipient  
of the product... Page 20, para 1, lines 7-10

150. The method of claim 119,  
further including the steps of:

providing a telephone for receiving  
ordering information as an alternative to  
receiving the ordering information over the  
Internet; and

entering the ordering information  
into the order center apparatus.

...providing telephones at the order center for  
receiving acoustic ordering information for use  
as the input data... Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input  
device to produce more of the output electrical  
signals representing a customizable--preferably  
consumer-composed--message to a recipient  
of the product... Page 20, para 1, lines 7-10

151. The method of claim 120,  
further including the steps of:

providing a telephone for receiving  
ordering information as an alternative to  
receiving the ordering information over the  
Internet; and

entering the ordering information  
into the order center apparatus.

...providing telephones at the order center for  
receiving acoustic ordering information for use  
as the input data... Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input  
device to produce more of the output electrical  
signals representing a customizable--preferably  
consumer-composed--message to a recipient  
of the product... Page 20, para 1, lines 7-10

152. The method of claim 121,  
further including the steps of:

providing a telephone for receiving  
ordering information as an alternative to  
receiving the ordering information over the  
Internet; and

entering the ordering information  
into the order center apparatus.

153. The method of claim 2,  
further including the step of communicating  
an email confirmation of the order.

154. The method of claim 3,  
further including the step of communicating  
an email confirmation of the order.

155. The method of claim 4,  
further including the step of communicating  
an email confirmation of the order.

156. The method of claim 5,  
further including the step of communicating

...providing telephones at the order center for  
receiving acoustic ordering information for use  
as the input data... Page 19, para 4, line 25-  
Page 20, line 1

...entering more of the input data at the input  
device to produce more of the output electrical  
signals representing a customizable--preferably  
consumer-composed--message to a recipient  
of the product... Page 20, para 1, lines 7-10

...receives a confirmation of the order  
in her email box and is satisfied that the flowers  
are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order  
in her email box and is satisfied that the flowers  
are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are



an email confirmation of the order.

on their way. Page 33, para 1, lines 15-16

157. The method of claim 6,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

158. The method of claim 7,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

159. The method of claim 8,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

160. The method of claim 9,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

161. The method of claim 10,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

162. The method of claim 11,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

163. The method of claim 12,

...receives a confirmation of the order in her

further including the step of communicating an email confirmation of the order.

164. The method of claim 13, further including the step of communicating an email confirmation of the order.

165. The method of claim 14, further including the step of communicating an email confirmation of the order.

166. The method of claim 15, further including the step of communicating an email confirmation of the order.

167. The method of claim 16, further including the step of communicating an email confirmation of the order.

168. The method of claim 17, further including the step of communicating an email confirmation of the order.

169. The method of claim 18, further including the step of communicating an email confirmation of the order.

email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

170. The method of claim 19,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

171. The method of claim 20,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

172. The method of claim 21,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

173. The method of claim 22,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

174. The method of claim 23,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

175. The method of claim 24,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

176. The method of claim 25,

further including the step of communicating an email confirmation of the order.

177. The method of claim 26, further including the step of communicating an email confirmation of the order.

178. The method of claim 27, further including the step of communicating an email confirmation of the order.

179. The method of claim 28, further including the step of communicating an email confirmation of the order.

180. The method of claim 29, further including the step of communicating an email confirmation of the order.

181. The method of claim 30, further including the step of communicating an email confirmation of the order.

182. The method of claim 31, further including the step of communicating an email confirmation of the order.

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16  
...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16  
...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16  
...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

183. The method of claim 32,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

184. The method of claim 33,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

185. The method of claim 34,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

186. The method of claim 35,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

187. The method of claim 36,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

188. The method of claim 37,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

189. The method of claim 39,  
further including the step of communicating

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are

an email confirmation of the order.

190. The method of claim 40,  
further including the step of communicating  
an email confirmation of the order.

191. The method of claim 41,  
further including the step of communicating  
an email confirmation of the order.

192. The method of claim 42,  
further including the step of communicating  
an email confirmation of the order.

193. The method of claim 43,  
further including the step of communicating  
an email confirmation of the order.

194. The method of claim 44,  
further including the step of communicating  
an email confirmation of the order.

195. The method of claim 45,  
further including the step of communicating  
an email confirmation of the order.

196. The method of claim 46,

on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

further including the step of communicating an email confirmation of the order.

197. The method of claim 47, further including the step of communicating an email confirmation of the order.

198. The method of claim 49, further including the step of communicating an email confirmation of the order.

199. The method of claim 50, further including the step of communicating an email confirmation of the order.

200. The method of claim 51, further including the step of communicating an email confirmation of the order.

201. The method of claim 52, further including the step of communicating an email confirmation of the order.

202. The method of claim 53, further including the step of communicating an email confirmation of the order.

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

203. The method of claim 54,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

204. The method of claim 55,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

205. The method of claim 56,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

206. The method of claim 57,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

207. The method of claim 58,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

208. The method of claim 59,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

209. The method of claim 60,  
further including the step of communicating

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are



an email confirmation of the order.

on their way. Page 33, para 1, lines 15-16

210. The method of claim 61,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

211. The method of claim 62,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

212. The method of claim 63,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

213. The method of claim 64,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

214. The method of claim 65,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

215. The method of claim 66,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

216. The method of claim 67,

further including the step of communicating an email confirmation of the order.

217. The method of claim 68, further including the step of communicating an email confirmation of the order.

218. The method of claim 69, further including the step of communicating an email confirmation of the order.

219. The method of claim 70, further including the step of communicating an email confirmation of the order.

220. The method of claim 71, further including the step of communicating an email confirmation of the order.

221. The method of claim 72, further including the step of communicating an email confirmation of the order.

222. The method of claim 73, further including the step of communicating an email confirmation of the order.

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

223. The method of claim 74,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

224. The method of claim 75,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

225. The method of claim 76,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

226. The method of claim 77,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

227. The method of claim 78,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

228. The method of claim 79,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

229. The method of claim 80,  
further including the step of communicating

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are

an email confirmation of the order.

230. The method of claim 81,  
further including the step of communicating  
an email confirmation of the order.

231. The method of claim 82,  
further including the step of communicating  
an email confirmation of the order.

232. The method of claim 83,  
further including the step of communicating  
an email confirmation of the order.

233. The method of claim 84,  
further including the step of communicating  
an email confirmation of the order.

234. The method of claim 85,  
further including the step of communicating  
an email confirmation of the order.

235. The method of claim 86,  
further including the step of communicating  
an email confirmation of the order.

236. The method of claim 87,

on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

further including the step of communicating an email confirmation of the order.

237. The method of claim 88, further including the step of communicating an email confirmation of the order.

238. The method of claim 89, further including the step of communicating an email confirmation of the order.

239. The method of claim 90, further including the step of communicating an email confirmation of the order.

240. The method of claim 91, further including the step of communicating an email confirmation of the order.

241. The method of claim 92, further including the step of communicating an email confirmation of the order.

242. The method of claim 93, further including the step of communicating an email confirmation of the order.

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

243. The method of claim 94,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

244. The method of claim 95,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

245. The method of claim 96,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

246. The method of claim 97,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

247. The method of claim 98,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

248. The method of claim 99,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

249. The method of claim 100,  
further including the step of communicating

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are

an email confirmation of the order.

on their way. Page 33, para 1, lines 15-16

250. The method of claim 101,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

251. The method of claim 102,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

252. The method of claim 103,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

253. The method of claim 104,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

254. The method of claim 105,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

255. The method of claim 106,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

256. The method of claim 107,

further including the step of communicating an email confirmation of the order.

257. The method of claim 108, further including the step of communicating an email confirmation of the order.

258. The method of claim 109, further including the step of communicating an email confirmation of the order.

259. The method of claim 110, further including the step of communicating an email confirmation of the order.

260. The method of claim 111, further including the step of communicating an email confirmation of the order.

261. The method of claim 112, further including the step of communicating an email confirmation of the order.

262. The method of claim 113, further including the step of communicating an email confirmation of the order.

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16  
...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16  
...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16  
...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16

...receives a confirmation of the order in her email box and is satisfied that the flowers are on their way. Page 33, para 1, lines 15-16



263. The method of claim 114,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

264. The method of claim 115,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

265. The method of claim 116,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

266. The method of claim 117,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

267. The method of claim 118,  
further including the step of communicating  
an email confirmation of the order.

...receives a confirmation of the order in her  
email box and is satisfied that the flowers are  
on their way. Page 33, para 1, lines 15-16

268. The method of claim 1,  
further including the step of providing order  
tracking and delivery information over the  
Internet for waybill shipping in accordance  
with the order.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

269. The method of claim 1,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

270. The method of claim 2,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

271. The method of claim 3,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

272. The method of claim 4,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

273. The method of claim 5,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

274. The method of claim 6,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

275. The method of claim 7,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

276. The method of claim 8,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

277. The method of claim 9,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

278. The method of claim 10,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

279. The method of claim 11,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

280. The method of claim 12,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

281. The method of claim 13,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

282. The method of claim 14,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

283. The method of claim 15,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

284. The method of claim 16,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

285. The method of claim 17,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

286. The method of claim 18,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

287. The method of claim 19,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

288. The method of claim 20,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

289. The method of claim 21,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

290. The method of claim 22,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

291. The method of claim 23,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

292. The method of claim 24,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

293. The method of claim 25,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

294. The method of claim 26,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

295. The method of claim 27,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

296. The method of claim 28,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25



297. The method of claim 29,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

298. The method of claim 30,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

299. The method of claim 31,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

300. The method of claim 32,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

301. The method of claim 33,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

302. The method of claim 34,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

303. The method of claim 35,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

304. The method of claim 36,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

305. The method of claim 37,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

306. The method of claim 38,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

307. The method of claim 39,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

308. The method of claim 40,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

309. The method of claim 41,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

310. The method of claim 42,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

311. The method of claim 43,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

312. The method of claim 44,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

313. The method of claim 45,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

314. The method of claim 46,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

315. The method of claim 47,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

316. The method of claim 48,  
further including the step of providing order  
tracking and delivery information over the  
Internet.

...obtaining shipping status information signals  
from the digital electrical computer shipping  
system... Page 21, para 2, lines 16-17  
...communications system that can include  
...the Internet... Page 7, para 5, lines 23-25

317. A method for processing a product order, the method comprising:

at an order processing center computer;

receiving customer order data identifying a product to be shipped to a recipient address;

transmitting data over a data network to a courier computer system, the transmitted data identifying the recipient shipping address;

receiving a response from the courier computer system, the response comprising data representing a shipping waybill;

determining packing list data based on the customer order data;

combining the shipping waybill data with the packing list data to form an integrated shipping record;

...involving an order center... Page 7, para 3, line 16

...receiving input data and converting the input data into the input electrical signals...the processor is controlled by a computer program to implement the step of producing... Page transmitting the electrical signals representing the packing list and the shipping information signals... Page 23, para 1, lines 20-22

...the signals representing the packing list and the shipping information signals; and shipping the product and the shipping information, from the distribution center. Page 24, lines 1-2

...providing a digital electrical computer shipping system controlled by a program to assign shipping information to the consumer order... Page 23, para 1, lines 19-20

... linking the ordering apparatus and the shipping system to a communications system

electronically transmitting the integrated shipping record from the order processing center to a remotely located distribution center;

at the distribution center; and  
printing the integrated shipping record to allow separation of waybill and packing list components to facilitate shipping of the product specified by the packing list component in accordance with the waybill component.

318. The method of claim 317, wherein the data transmitted to the courier computer system further comprises an origination address and shipping cost determination data.

for transmitting the electrical signals representing the packing list and the shipping information signals...Page 23, para 1, lines 20-22  
...linking a printer device to the communications system at a distribution center located remotely from the ordering center and from the shipping system for receiving the signals representing the packing list and the shipping information signals... Page 23, para 1, lines 22-25

...from the distribution center. Page 24, line 2  
...involving use of a sheet for the printing at the local distribution center,... Page 6, para 4, line 16  
...the sheet having demarcations, preferably perforations, such that the packing list, shipping label, ... can be conveniently separated. Page 6, para 4, lines 16-20

If the user selected a recipient, the address fields are already populated with the appropriate information...Page 49, para 3, line 13

319. The method of claim 318, wherein the shipping cost determination data comprises product weight data.

...Shipping values are listed next to each date, as to indicate the difference between weekend and weekday delivery... Page 52, para 1, lines 2-4

320. The method of claim 319, further comprising determining the product weight data by querying a database storing records associating products with weight.

See Fig. 2

321. The method of claim 317, wherein:

See Fig. 2

the customer order data further comprising data representing a customized message directed to the recipient;

combining to form an integrated shipping record further comprises combining the data representing the customized message with the waybill data and the product list data; and

printing the integrated shipping record further comprises printing the customized message on a media to be included in packaging shipped to the



recipient.

322. The method of claim 321,  
wherein the media comprises a greeting  
card. See Fig. 2

323. The method of claim 317,  
further comprising:  
transmitting a order confirmation  
comprising a tracking number derived from  
the shipping waybill. See Fig. 2

324. The method of claim 317,  
wherein the product to be shipped  
comprises fresh flowers. See Fig. 2

325. The method of claim 324,  
wherein the distribution center is co-located  
with a fresh flower production facility  
providing a supply of fresh flowers for  
shipping. See Fig. 2

**VI. Grounds of Rejection to be Reviewed on Appeal**

**A. § 112**

1. Has the Examiner shown that each of the claims are unpatentable pursuant

to 35 U.S.C. § 112?

**VII. Argument**

The Examiner has not shown that each of the claims 1-325 are unpatentable pursuant to 35 U.S.C. § 112, for the reasons set forth more particularly below.

**A. Background**

This patent application was filed in on September 8, 1998, and first examined in July 2000. Appellant responded to said Office Action on February 5, 2001, and a Final Office Action was mailed May 29, 2001. Appellant filed a Request for Continued Examination on December 19, 2001, and the Examiner issued an Office Action on January 15, 2002. Appellant filed another Request for Continued Examination on June 24, 2002, and the Examiner issued an Office Action on July 25, 2002. Appellant responded on January 10, 2003, and a Notice of Allowance was issued on July 1, 2004. Appellant paid the issue fee on July 28, 2004.

After payment of the issue fee, the Office of Patent Publication noted errors in the text, inconsistencies between the drawings and the application papers, and the presence of hyperlinks, and an amendment was required. In response, Applicant submitted an amendment in on August 26, 2005, and despite numerous calls to the PTO, the PTO took no action. In March, 2006, Applicant filed a Petition to Invoke the Supervisory Authority, which resulted in withdrawal of the allowance on March 15, 2006, and a rejection issued on June 26, 2006. Applicant responded and overcame the rejection, and another rejection was issued on July 5, 2007. The 1998 application – on its 6<sup>th</sup> examination, after Applicant had paid the issue fee – has now been rejected on the ground of multiplicity. The Examiner states that “in his judgment that 40 (40) claims are sufficient to properly define Applicant’s invention.” Office Action of 07/05/07, page 3.

**B. § 112: The rejection is not in accord with PTO policy**

Attached as Exhibit A in the Evidence Appendix, is a copy of a memorandum from Deputy Commissioner Stephen Kunin concerning “Rejection based on Undue Multiplicity”. The

memorandum states:

It has been brought to my attention that some examiners are issuing second and subsequent Office Actions based solely on unusual technical rejections such as undue multiplicity. This is not in accord with published patent examination policy...

Pursuant to Patent Office policy set out by Deputy Commissioner Stephen Kunin, it is untimely to raise a multiplicity rejection at the 6th examination, after allowance and payment of an issue fee.

**C. The rejection did not comply with 35 U.S.C. Sec. 132**

The rejection also did not comply with 35 U.S.C. § 132, which requires that "[w]henever, on examination, any claim is rejected, the Commissioner shall notify the applicant... stating the reasons for such rejection... together with such information as may be useful in judging the propriety of continuing prosecution...."

The Examiner states that "in his judgment that 40 (40) claims are sufficient to properly define Applicant's invention."

There is no "information" whatsoever as to what particular claims are deemed to violate 35 U.S.C. Sec. 112 or the basis for the Examiner's "judgment that 40 (40) claims are sufficient to properly define Applicant's invention." Pursuant to 35 U.S.C. § 132, the number of claims in an application is not to be decided based on the Examiner's personal judgment with no "such information as may be useful in judging the propriety of continuing prosecution...." The Examiner's view as to what in his judgment is sufficient for Appellant does not meet the requirement of 35 U.S.C. § 132.

**D. The rejection did not comply with Rule 104**

Implementing 35 U.S.C. § 132 is Rule 104, particularly 104(a)(2), which requires, at least in part, as reproduced in part below:

...The reasons for any adverse action or any objection or requirement will be stated in an Office action and such information or references will be given as may be useful in aiding the applicant... to judge the propriety of continuing the prosecution...

The rejection did not comply with Rule 104, and instead the Examiner merely states that "in his judgment that 40 (40) claims are sufficient to properly define Appellant's invention."

There is no analysis whatsoever of the claims or basis for the Examiner's personal judgment as to the number of claims sufficient for Appellant. Pursuant to particularly 104(a)(2), the number of claims in an application is not to be decided based on the Examiner's personal judgment with no "information... given as may be useful in aiding the applicant... to judge the propriety of continuing the prosecution...." Personal judgment as to what is sufficient for Appellant does not meet the requirement of Rule 104.

**E. The Examiner's judgment is not evidence of prima facie unpatentability pursuant to §112**

The Office Action Sec. 112 rejection, and the particular number of claims allotted to Appellant, is premised solely on the Examiner's discretion. Pursuant to 35 USC Sec. 102, Appellant is entitled to a patent unless..." and this applies to other statutory grounds for withholding a patent. *In re Oetiker*, 977 F.2d 1443, 1445 (Fed. Cir. 1992) "[T]he examiner bears the initial burden, on review of the prior art or on any other ground, of presenting a *prima facie* case of unpatentability."

Personal judgment or discretion is not sufficient evidence for establishing prima facie that any claim fails to comply with §112. Not one claim has not been shown to be vague or indefinite, and therefore rejection has not made out a case of prima facie unpatentability pursuant to §112.

Further, because the Office Action purports to give the Appellant the right to choose any of the 40 claim allotment, it follows that none of the claims is vague or indefinite. Therefore, the rejection has not shown that any claim is prima facie vague or indefinite pursuant to §112.

**F. The rejection is contrary to MPEP Sec. 2173.05(n)**

The rejection did not comply with MPEP § 2173.05(n), which instructs: "Undue multiplicity rejections based on 35 U.S.C. § 112, second paragraph, should be applied judiciously and

should be rare." MPEP § 2173.05(n) further notes:

Where, in view of the nature and scope of applicant's invention, applicant presents an unreasonable number of claims which \*\* are repetitious and multiplied...

Thus, pursuant to MPEP § 2173.05(n), such a rejection may only be raised where the claims are shown to be "repetitious....." However, the Office Action does not contend that any particular claim is "repetitious", no repetitiousness is evident, and the Examiner and the Primary Examiner who signed the Notice of Allowability found no repetitiousness. Therefore the rejection is contrary to MPEP § 2173.05(n).

Further, the Office Action mentions "confuse" but does nothing more than make a contention. There is no identification of any claim that, in particular, is so confusing as to violate Sec. 112. A mere contention is insufficient to withhold a patent, pursuant to 35 U.S.C. Sec. 132 or any other statutory ground because a statutory rejection requires a showing of all *prima facie* elements. In particular, a showing is required for *both repetitious and confusing*. See *In re Chandler*, 319 F.2d 211, 225, 138 USPQ 138, 148 (CCPA 1963) and *In re Flint*, 411 F.2d 1353, 1357, 162 USPQ 228, 231 (CCPA 1969) (the two cases cited in MPEP § 2173.05(n)) note that "undue multiplicity" only applies where the claims are "repetitious" and confusing.

Consistent with the PTO policy set forth by Deputy Commissioner Stephen Kunin, the Patent Office should have noted any confusing and repetitious claim prior to issuing a notice of allowance, or at least prior to the 6<sup>th</sup> examination, and because none of the other Examiners have found anything in the claims to be confusing or repetitious, this 6<sup>th</sup> examination Examiner's contention does not make it so now.

Second, the Board of Patent Appeals has held that

As to the issue of "undue multiplicity", it is well established that an applicant has the choice of deciding as to the number of claims so long as they are consistent with the disclosure and the requisite filing fees are paid. We, therefore, reverse the Examiner's rejection of claims ... under the second paragraph of 35 U.S.C. § 112.

(Emphasis added)

*Ex parte Maloney*, 1999 WL 33205694 at \*2, [www.uspto.gov/go/dcom/bpai/decisions/fd983299.pdf](http://www.uspto.gov/go/dcom/bpai/decisions/fd983299.pdf) at pp. 4-5 (Bd. Pat. App & Interf. May 24, 1999) (underline added). In the instant application, applicant has exercised its choice of deciding as to the number of claims and the claims have not been found to be inconsistent with the disclosure, and further the requisite filing fees have been paid.

Third, in the Office's judgment at the time, the filing fees were appropriate and taken for the examination that occurred prior to this 6<sup>th</sup> Office Action multiplicity rejection. There was no multiplicity problem with the claims in the notice of allowability, and consistent with the above-referenced PTO policy, it is inappropriate to issue this rejection after taking Appellant's fees, completing many examinations, taking Appellant's claim fees and taking Appellant's issue fee.

Finally, § 112 ¶ 2 specifies that the only judgment that may be considered in claiming is the applicant's, to claim whatever "subject matter which the applicant regards as his invention." The examiner's "judgment" is simply not a factor that may be considered under the statute. No ground for a § 112 ¶ 2 rejection has been shown.

**G. Arbitrary**

In the rejection, the Examiner's judgment as to the number of claims to be allotted to Appellant is completely arbitrary – based on nothing other than personal discretion. Nothing in the Office Action provides a basis or any information as to why a particular number of claims is "sufficient" for Appellant – the rejection is nothing other than pulling a number from the air. The rejection is arbitrary, and some explanation for the departure from Patent Office policy should be provided as regards this application. In any case, the statutes do not provide examiner discretion as the basis for allotting a number of claims to an Appellant – especially after taking Applicant's fee payment.

**H. Summary**

Appellant's application has been examined thoroughly, if not excessively, at 6 Office Actions. Appellant has paid every fee as required, including paying the issue fee. The only issue in the case is the number of claims to which the Appellant is entitled, and the multiplicity rejection is contrary to the Patent Office policy set out by Deputy Commissioner Stephen Kunin, contrary to statute, contrary to Rule 104, and contrary to case law. The PTO reasons for allowability are as apt today as they were when originally issued by the PTO, and the application should be allowed again.

Therefore, Appellant respectfully requests that its decade-old patent application, having been exhaustively examined and allowed, be again allowed to issue.

**XI. CONCLUSION**

For the reasons more fully set out above, all pending claims have not been shown unpatentable, and the rejection of them was in error, such that allowance is respectfully requested.

Respectfully submitted,



Date: June 2, 2008

\_\_\_\_\_  
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### **Appendix of Claims**

1. A method for using an order center apparatus to ship a product, the method including the steps of:

producing signals representing a packing list for an order of the product with the order center apparatus, located at an order center, the order center apparatus including a computer having a programmed processor;

assigning waybill shipping information signals to the order with a shipping apparatus including a digital computer;

linking, by digital communication, the signals representing the packing list with the waybill shipping information signals;

receiving the signals representing the packing list at a printer device at a distribution center located separately from the order center;

printing the packing list at the printer device; and

shipping the product specified by the packing list, in accordance with the waybill shipping information signals, from the distribution center.

2. The method of claim 1, further including the step of:

receiving a customized component at the order center apparatus, from an ordering system including a computer; and wherein:

the step of linking includes linking the signals representing the packing list with the signals representing the customized component;

the step of receiving includes receiving the signals representing the customized component at the printer device;

the step of printing includes printing the customized component, along with the packing list and a shipping label, at the printing device; and



the step of shipping is carried out by shipping the customized component, along with the product, from the distribution center.

3. The method of claim 1, wherein the step of producing signals representing a packing list and said step of printing the packing list are carried out by using flowers as the product.

4. The method of claim 3, further comprising the step of growing the flowers at the distribution center.

5. The method of claim 3, wherein the step of printing includes printing on a sheet in the printer device; and further including the step of:

locating demarcations on the sheet for detaching a shipping label from the packing list at the demarcations.

6. The method of claim 3, further including the step of locating a perforation on the sheet for detaching a shipping label from the packing list at the perforation.

7. The method of claim 3, further including the steps of:  
receiving a message at the order center apparatus, from an ordering system including a computer, said message from a user of the ordering system to a recipient of the flowers; and wherein:

the step of linking includes linking the signals representing the packing list with signals representing the message; and

the step of printing includes printing the message, along with the packing list and

a shipping label, at the printing device at the distribution center; and

the step of shipping is carried out by shipping the message, along with the product, from the distribution center.

8. The method of claim 7, wherein the step of printing includes printing the message at the printing device on a greeting card having preprinted artwork.

9. The method of claim 5, wherein the step of printing is carried out with the sheet including a greeting card having preprinted artwork and demarcations for detaching the greeting card; and wherein the step of shipping includes separating the packaging list and the greeting card at the demarcations.

10. The method of claim 3, wherein the step of assigning the waybill shipping information signals includes dynamically assigning the shipping information signals through a TCP/IP connection.

11. The method of claim 3, further including the step of:  
translating some of the signals, at the order center apparatus, to produce the signals representing the packing list and the shipping list signals in one digital format.

12. The method of claim 3, wherein the step of printing is carried out with the printing device being a fax machine; and further including the step of connecting the fax machine to a communications system for receiving of the signals representing the packing list and for receiving the shipping information signals.

13. The method of claim 12, wherein the step of connecting includes connecting an open end network gateway to a remote fax server and connecting the remote fax server to the fax machine.

14. The method of claim 12, wherein the step of connecting includes connecting a remote fax server with a fax modem in a local calling area of the distribution center and connecting the fax modem to the fax machine.

15. The method of claim 3, further including the steps of:  
associating an order code with said order;  
obtaining shipping status information from the shipping apparatus; and  
associating the order code with the shipping status information at a machine-readable site having a network gateway address in facilitating access by an ordering system, including a computer, to determine the shipping status associated with the order.

16. The method of claim 3, wherein said step of shipping includes shipping the product in packaging displaying a network address to facilitate an electronic communication from an ordering system, including a computer, to the order center apparatus.

17. The method of claim 3, further including the steps of:  
connecting an ordering system, including a computer, to a network gateway; and  
connecting the network gateway to the order center apparatus.

18. The method of claim 3, further including the steps of:  
receiving ordering information at the order center by telephone; and

entering the ordering information as input data to the order center apparatus in producing the signals representing the packing list.

19. The method of claim 1, further comprising the step of producing the product at the distribution center.

20. The method of claim 1, wherein the step of printing includes printing on a sheet in the printer device; and further including the step of

locating a demarcation on a sheet in the printer device for detaching the packing list from a shipping label.

21. The method of claim 1, wherein the step of printing includes printing on a sheet in the printer device; and further including the step of locating a perforation on the sheet for detaching a shipping label from the packing list at the perforation.

22. The method of claim 1, further including the steps of:  
receiving signals representing a customized component at the order center apparatus, from an ordering system including a computer, the customized component including a message from a user of the ordering system to a recipient of the product; and wherein:

the step of linking includes linking the signals representing the packing list with the signals representing the customized component;

the step of printing includes printing the customized component, along with the packing list and a shipping label, at the printing device at the distribution center; and

the step of shipping is carried out by shipping the customized component, along with the product, from the distribution center.

23. The method of claim 22, wherein the step of printing the customized component includes printing the message on a greeting card at the distribution center.

24. The method of claim 22, wherein the step of printing is carried out by locating a sheet in the printer, the sheet including a greeting card for the message and having preprinted artwork and a demarcation for detaching the greeting card from the packing list; and further including the step of separating the packing list from the greeting card by tearing the sheet at the demarcation.

25. The method of claim 22, wherein the step of printing the customized element includes printing a graphical element as part of the customized component.

26. The method of claim 1, wherein the step of assigning the waybill shipping information signals includes dynamically assigning the shipping information signals through a TCP/IP connection.

27. The method of claim 1, further including the step of:  
translating some of the signals, at the order center apparatus, to produce the signals representing the packing list and the shipping signals in one digital format.

28. The method of claim 1, wherein the step of printing is carried out by using a fax machine as the printing device; and further including the step of connecting the fax machine to a communications system for the receiving of the signals representing the packing list.

29. The method of claim 28, wherein the step of connecting includes connecting via an open end network gateway to a remote fax server and connecting the remote fax server to the fax machine.

30. The method of claim 28, wherein the step of connecting includes connecting to a remote fax server with a fax modem in a local calling area of the distribution center for a subsequent communication to the fax machine.

31. The method of claim 1, further including the steps of:  
associating an order code with said order;  
obtaining shipping status information from the shipping apparatus; and  
associating the order code with the status information at a machine-readable site  
having a network gateway address in facilitating access by a computer to determine shipping status associated with the order.

32. The method of claim 1, wherein said step of shipping includes shipping the product in packaging displaying a network gateway address to facilitate an electronic communication from an ordering system, including a computer, to the order center apparatus.

33. The method of claim 1, further including the steps of:  
connecting an ordering system, including a computer, to a network gateway; and  
connecting the network gateway to the order center apparatus.

34. The method of claim 1, further including the steps of  
receiving ordering information at the order center by telephone; and

entering the ordering information as input data to the order center apparatus in producing the signals representing the packing list.

35. The method of claim 1, further including the steps of:  
prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

36. The method of claim 35, further including the steps of:  
scanning a shipping label to obtain scanning data;  
transmitting the scanning data to trigger the step of sending a second electronic communication.

37. A system facilitating a product shipment, the system including:  
an order center apparatus, located at an order center, producing signals representing a packing list for an order of a product, the order center apparatus including a computer having a programmed processor;  
a shipping apparatus, including a digital computer, assigning waybill shipping information signals for the order;  
a printer device, located at a distribution center located separate from the order center, receiving the signals representing the packing list and the shipping information signals, and printing the packing list at the printer device to facilitate shipping the product specified by the packing list, in accordance with the waybill shipping information signals, from the distribution

center.

38. A method for using an order center apparatus to ship a product, the method including the steps of:

receiving an order from a web site at the order center apparatus located at an order center, the order center apparatus including a computer having a processor;

controlling the processor with a computer program to the produce signals representing a packing list for the order;

receiving a waybill tracking number receiving from a shipping system including a computer;

associating signals representing the waybill tracking number with said signals representing the order;

locating a printer device at a distribution center separate from the order center and separate from the shipping system;

printing the packing list at the printer device from the signals representing the packing list; and

locating the product identified by the packing list in packaging for courier shipment from the distribution center according to a waybill corresponding to the waybill tracking number.

39. A method for using an order center apparatus to ship a product, the method including the steps of:

providing the order center apparatus including a computer having a processor controlled by a computer program in producing output signals representing a packing list for an order of the product;

producing waybill shipping information signals at a shipping system, including a



computer;

connecting the order center apparatus to a communications system, including the Internet, for transmitting the electrical signals representing the packing list;

connecting the shipping system to a communications system, including the Internet, for transmitting the electrical signals representing the waybill shipping information signals;

linking the signals representing the order with the signals representing the waybill shipping information;

locating a printer device linked to the communications system at a distribution center separate from the ordering center and separate from the shipping system;

receiving the signals representing the packing list at the printer device;

receiving the signals representing the waybill shipping information signals at the printer device;

printing a waybill at the printer from the waybill shipping information signals;

printing a packing list from the signals representing the packing list; and  
shipping the product specified by the packing list, according to the waybill, from the distribution center.

40. The method of claim 1, wherein any one of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

41. The method of claim 2, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

42. The method of claim 3, wherein all of the steps of assigning shipping information signals linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

43. A method for using an order center apparatus to enable shipping a gift and a user-composed greeting message to a recipient, the method including the steps of:

specifying the gift and the user-composed greeting message with an ordering system, including a computer, connected to a web site; and

connecting the web site to the order center apparatus including a processor controlled by a computer program to carry out steps of:

linking electronic signals representing the gift with the user-composed greeting message in communicating over the Internet for receipt by the recipient;

controlling the shipping of the gift to the recipient by obtaining shipping waybill data from a shipping apparatus; and

linking signals representing the order with the signals representing the waybill shipping data.

44. The method of claim 43, wherein the step of communicating the user-composed greeting message is carried out by using Blue Mountain-type greeting card and a graphical element.

45. The method of claim 43, wherein the step of specifying the gift includes specifying flowers as the gift.

46. The method of claim 43, wherein the step of specifying the gift includes specifying flowers; and further including growing the flowers at a distribution center from which the gift is shipped.

47. A method for using an order center apparatus to implement a delivery customized and fulfilled just for a recipient, the method including the steps of:

producing output electrical signals representing an order including a list of necessary intermediates of a flower arrangement for a delivery customized and fulfilled just for a recipient by causing an order center apparatus located at an order center to change input digital electrical signals received from an Internet web page into the output digital electrical signals, the order center apparatus including a computer having a processor, the processor controlled by a computer program;

assigning waybill tracking information signals to the order;

linking, by digital communication, the signals representing the list with the waybill tracking information signals;

communicating the signals representing the list to a printer device at a distribution center located remotely from the order center; and

making the delivery customized and fulfilled just for the recipient, as specified by the list, in accordance with the waybill tracking information signals, from the distribution center.

48. The process of claim 122, further including the step of communicating an email confirmation of the order to an electronic address of the ordering system computer.

49. The method of claim 2, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the

packing list is carried out by communicating over the Internet.

50. The method of claim 3, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

51. The method of claim 4, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

52. The method of claim 5, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

53. The method of claim 6, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

54. The method of claim 7, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

55. The method of claim 8, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

56. The method of claim 9, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

57. The method of claim 10, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

58. The method of claim 11, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

59. The method of claim 12, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

60. The method of claim 13, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

61. The method of claim 14, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

62. The method of claim 15, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

63. The method of claim 16, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

64. The method of claim 17, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

65. The method of claim 18, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

66. The method of claim 19, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

67. The method of claim 20, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

68. The method of claim 21, wherein any two of the steps of assigning

shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

69. The method of claim 22, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

70. The method of claim 23, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

71. The method of claim 24, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

72. The method of claim 25, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

73. The method of claim 26, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

74. The method of claim 27, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals

representing the packing list is carried out by communicating over the Internet.

75. The method of claim 28, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

76. The method of claim 29, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

77. The method of claim 30, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

78. The method of claim 31, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

79. The method of claim 32, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

80. The method of claim 33, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.



81. The method of claim 34, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

82. The method of claim 35, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

83. The method of claim 36, wherein any two of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

84. The method of claim 2, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

85. The method of claim 3, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

86. The method of claim 4, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

87. The method of claim 5, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

88. The method of claim 6, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

89. The method of claim 7, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

90. The method of claim 8, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

91. The method of claim 9, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

92. The method of claim 10, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

93. The method of claim 11, wherein all of the steps of assigning shipping

information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

94. The method of claim 12, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

95. The method of claim 13, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

96. The method of claim 14, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

97. The method of claim 15, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

98. The method of claim 16, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

99. The method of claim 17, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the

packing list is carried out by communicating over the Internet.

100. The method of claim 18, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

101. The method of claim 19, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

102. The method of claim 20, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

103. The method of claim 21, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

104. The method of claim 22, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

105. The method of claim 23, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

106. The method of claim 24, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

107. The method of claim 25, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

108. The method of claim 26, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

109. The method of claim 27, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

110. The method of claim 28, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

111. The method of claim 29, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

112. The method of claim 30, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

113. The method of claim 31, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

114. The method of claim 32, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

115. The method of claim 33, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

116. The method of claim 34, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

117. The method of claim 35, wherein all of the steps of assigning shipping information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

118. The method of claim 36, wherein all of the steps of assigning shipping

information signals, linking by digital communication, and receiving the signals representing the packing list is carried out by communicating over the Internet.

119. A method for making a product for shipping by using an order center apparatus, the method including the steps of:

producing signals representing a packing list for an order of the product with the order center apparatus, located at an order center, the order center apparatus including a computer having a programmed processor;

assigning waybill shipping information signals to the order with a shipping apparatus including a digital computer;

linking, by digital communication, the signals representing the packing list with the waybill shipping information signals;

receiving the signals representing the packing list at a printer device at a distribution center located separately from the order center;

printing the packing list at the printer device;

producing the product; and

shipping the product specified by the packing list, in accordance with the waybill shipping information signals, from the distribution center.

120. A method for making a product for shipping by using an order center apparatus, the method including the steps of:

receiving an order from a web site at the order center apparatus including a computer having a processor;

controlling the processor with a computer program to the produce signals representing a packing list for the order;

receiving a waybill tracking number receiving from a shipping system including a computer;

associating signals representing the waybill tracking number with said signals representing the order;

locating a printer device at a distribution center separate from the order center and separate from the shipping system;

printing the packing list at the printer device from the signals representing the packing list;

making the product; and

locating the product identified by the packing list in packaging for courier shipment from the distribution center according to a waybill corresponding to the waybill tracking number.

121. A method for making a product for shipping by using an order center apparatus, the method including the steps of:

providing the order center apparatus at an order center, the order center apparatus including a computer having a processor controlled by a computer program in producing output signals representing a packing list for an order of the product;

producing waybill shipping information signals at a shipping system, including a computer;

linking the order center apparatus to a communications system, including the Internet, for transmitting the electrical signals representing the packing list;

linking the shipping system to a communications system, including the Internet, for transmitting the electrical signals representing the packing list;

locating a printer device linked to the communications system at a distribution center separate from the ordering center and separate from the shipping system;



receiving the packing list at the printer device;  
receiving the signals representing the waybill shipping information signals at the printer device;  
printing a waybill at the printer from the waybill shipping information signals;  
printing a packing list from the signals representing the packing list;  
producing the product; and  
shipping the product specified by the packing list, according to the waybill, from the distribution center.

122. A process for making a product for shipping, the process including the steps of:  
enabling a user of an ordering system to ship the product as a gift and communicate a message to a recipient by connecting the ordering system, including a computer, to a web site;  
making the product for the shipping; and  
connecting the web site to the order center apparatus including a processor controlled by a computer program to carry out steps of:  
linking electronic signals representing the gift with the message in communicating over the Internet for receipt by the recipient;  
controlling the shipping of the gift to the recipient by obtaining shipping waybill data from a shipping apparatus; and  
linking signals representing the order with the signals representing the waybill shipping data.

123. A method for making a product for shipping by using an order center

apparatus to implement a delivery customized and fulfilled just for a recipient, the method including the steps of:

producing output electrical signals representing a list of necessary intermediates of a flower arrangement as the product for a delivery customized and fulfilled just for a recipient by causing an order center apparatus located at an order center to change input digital electrical signals received from an Internet web page into the output digital electrical signals, the order center apparatus including a computer having a processor, the processor controlled by a computer program;

assigning waybill tracking information signals to the order;

linking, by digital communication, the signals representing the list with the waybill tracking information signals;

communicating the signals representing the list to a printer device at a distribution center located remotely from the order center;

making the product; and

making the delivery customized and fulfilled just for the recipient, as specified by the list, in accordance with the waybill tracking information signals, from the distribution center.

124. The method of claim 38, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

125. The method of claim 39, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

126. The method of claim 43, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

127. The method of claim 47, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

128. The method of claim 119, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second

electronic communication to the charge card system to obtain payment for the product.

129. The method of claim 120, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

130. The method of claim 121, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

131. The process of claim 122, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

132. The method of claim 123, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a

charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

133. The method of claim 2, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

134. The method of claim 3, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

135. The method of claim 4, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

136. The method of claim 7, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

137. The method of claim 15, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

138. The method of claim 22, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

139. The method of claim 27, further including the steps of:

prior to carrying out the step of shipping the product, verifying availability on a charge card to pay for the product with an electrical communication from the order center

apparatus to a charge card system, including a computer; and

subsequent to carrying out the step of shipping the product, sending a second electronic communication to the charge card system to obtain payment for the product.

140. The method of claim 1, further including the steps of:

providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and

entering the ordering information into the order center apparatus.

141. The method of claim 2, further including the steps of:

providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and

entering the ordering information into the order center apparatus.

142. The method of claim 3, further including the steps of:

providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and

entering the ordering information into the order center apparatus.

143. The method of claim 4, further including the steps of:

providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and

entering the ordering information into the order center apparatus.

144. The method of claim 7, further including the steps of:

providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and  
entering the ordering information into the order center apparatus.

145. The method of claim 15, further including the steps of:  
providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and  
entering the ordering information into the order center apparatus.

146. The method of claim 27, further including the steps of:  
providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and  
entering the ordering information into the order center apparatus.

147. The method of claim 38, further including the steps of:  
providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and  
entering the ordering information into the order center apparatus.

148. The method of claim 39, further including the steps of:  
providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and  
entering the ordering information into the order center apparatus.

149. The method of claim 47, further including the steps of:



providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and  
entering the ordering information into the order center apparatus.

150. The method of claim 119, further including the steps of:  
providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and  
entering the ordering information into the order center apparatus.

151. The method of claim 120, further including the steps of:  
providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and  
entering the ordering information into the order center apparatus.

152. The method of claim 121, further including the steps of:  
providing a telephone for receiving ordering information as an alternative to receiving the ordering information over the Internet; and  
entering the ordering information into the order center apparatus.

153. The method of claim 1, further including the step of communicating an email confirmation of the order The method of claim 2, further including the step of communicating an email confirmation of the order.

154. The method of claim 3, further including the step of communicating an email confirmation of the order.

155. The method of claim 4, further including the step of communicating an email confirmation of the order.

156. The method of claim 5, further including the step of communicating an email confirmation of the order.

157. The method of claim 6, further including the step of communicating an email confirmation of the order.

158. The method of claim 7, further including the step of communicating an email confirmation of the order.

2. The method of claim 8, further including the step of communicating an email confirmation of the order.

3. The method of claim 9, further including the step of communicating an email confirmation of the order.

4. The method of claim 10, further including the step of communicating an email confirmation of the order.

5. The method of claim 11, further including the step of communicating an email confirmation of the order.

6. The method of claim 12, further including the step of communicating an email confirmation of the order.

7. The method of claim 13, further including the step of communicating an email confirmation of the order.

8. The method of claim 14, further including the step of communicating an email confirmation of the order.

9. The method of claim 15, further including the step of communicating an email confirmation of the order.

10. The method of claim 16, further including the step of communicating an email confirmation of the order.

11. The method of claim 17, further including the step of communicating an email confirmation of the order.

12. The method of claim 18, further including the step of communicating an email confirmation of the order.

13. The method of claim 19, further including the step of communicating an email confirmation of the order.

14. The method of claim 20, further including the step of communicating an email confirmation of the order.

15. The method of claim 21, further including the step of communicating an email confirmation of the order.

16. The method of claim 22, further including the step of communicating an email confirmation of the order.

17. The method of claim 23, further including the step of communicating an email confirmation of the order.

18. The method of claim 24, further including the step of communicating an email confirmation of the order.

19. The method of claim 25, further including the step of communicating an email confirmation of the order.

20. The method of claim 26, further including the step of communicating an email confirmation of the order.

21. The method of claim 27, further including the step of communicating an email confirmation of the order.

22. The method of claim 28, further including the step of communicating an email confirmation of the order.

23. The method of claim 29, further including the step of communicating an email confirmation of the order.

24. The method of claim 30, further including the step of communicating an email confirmation of the order.

25. The method of claim 31, further including the step of communicating an email confirmation of the order.

26. The method of claim 32, further including the step of communicating an email confirmation of the order.

27. The method of claim 33, further including the step of communicating an email confirmation of the order.

28. The method of claim 34, further including the step of communicating an email confirmation of the order.

29. The method of claim 35, further including the step of communicating an email confirmation of the order.

30. The method of claim 36, further including the step of communicating an email confirmation of the order.

31. The method of claim 37, further including the step of communicating an email confirmation of the order.

32. The method of claim 39, further including the step of communicating an email confirmation of the order.

33. The method of claim 40, further including the step of communicating an email confirmation of the order.

34. The method of claim 41, further including the step of communicating an email confirmation of the order.

35. The method of claim 42, further including the step of communicating an email confirmation of the order.

36. The method of claim 43, further including the step of communicating an email confirmation of the order.

37. The method of claim 44, further including the step of communicating an email confirmation of the order.

38. The method of claim 45, further including the step of communicating an email confirmation of the order.

39. The method of claim 46, further including the step of communicating an email confirmation of the order.

40. The method of claim 47, further including the step of communicating an email confirmation of the order.

41. The method of claim 49, further including the step of communicating an email confirmation of the order.

42. The method of claim 50, further including the step of communicating an email confirmation of the order.

43. The method of claim 51, further including the step of communicating an email confirmation of the order.

44. The method of claim 52, further including the step of communicating an email confirmation of the order.

45. The method of claim 53, further including the step of communicating an email confirmation of the order.

46. The method of claim 54, further including the step of communicating an email confirmation of the order.

47. The method of claim 55, further including the step of communicating an email confirmation of the order.

48. The method of claim 56, further including the step of communicating an email confirmation of the order.

49. The method of claim 57, further including the step of communicating an email confirmation of the order.

50. The method of claim 58, further including the step of communicating an email confirmation of the order.

51. The method of claim 59, further including the step of communicating an email confirmation of the order.

52. The method of claim 60, further including the step of communicating an email confirmation of the order.

53. The method of claim 61, further including the step of communicating an email confirmation of the order.

54. The method of claim 62, further including the step of communicating an email confirmation of the order.

55. The method of claim 63, further including the step of communicating an email confirmation of the order.

56. The method of claim 64, further including the step of communicating an email confirmation of the order.

57. The method of claim 65, further including the step of communicating an email confirmation of the order.

58. The method of claim 66, further including the step of communicating an email confirmation of the order.

59. The method of claim 67, further including the step of communicating an email confirmation of the order.

60. The method of claim 68, further including the step of communicating an email confirmation of the order.



61. The method of claim 69, further including the step of communicating an email confirmation of the order.

62. The method of claim 70, further including the step of communicating an email confirmation of the order.

63. The method of claim 71, further including the step of communicating an email confirmation of the order.

64. The method of claim 72, further including the step of communicating an email confirmation of the order.

65. The method of claim 73, further including the step of communicating an email confirmation of the order.

66. The method of claim 74, further including the step of communicating an email confirmation of the order.

67. The method of claim 75, further including the step of communicating an email confirmation of the order.

68. The method of claim 76, further including the step of communicating an email confirmation of the order.

69. The method of claim 77, further including the step of communicating an email confirmation of the order.

70. The method of claim 78, further including the step of communicating an email confirmation of the order.

71. The method of claim 79, further including the step of communicating an email confirmation of the order.

72. The method of claim 80, further including the step of communicating an email confirmation of the order.

73. The method of claim 81, further including the step of communicating an email confirmation of the order.

74. The method of claim 82, further including the step of communicating an email confirmation of the order.

75. The method of claim 83, further including the step of communicating an email confirmation of the order.

76. The method of claim 84, further including the step of communicating an email confirmation of the order.

77. The method of claim 85, further including the step of communicating an email confirmation of the order.

78. The method of claim 86, further including the step of communicating an email confirmation of the order.

79. The method of claim 87, further including the step of communicating an email confirmation of the order.

80. The method of claim 88, further including the step of communicating an email confirmation of the order.

81. The method of claim 89, further including the step of communicating an email confirmation of the order.

82. The method of claim 90, further including the step of communicating an email confirmation of the order.

83. The method of claim 91, further including the step of communicating an email confirmation of the order.

84. The method of claim 92, further including the step of communicating an email confirmation of the order.

85. The method of claim 93, further including the step of communicating an email confirmation of the order.

86. The method of claim 94, further including the step of communicating an email confirmation of the order.

87. The method of claim 95, further including the step of communicating an email confirmation of the order.

88. The method of claim 96, further including the step of communicating an email confirmation of the order.

89. The method of claim 97, further including the step of communicating an email confirmation of the order.

90. The method of claim 98, further including the step of communicating an email confirmation of the order.

91. The method of claim 99, further including the step of communicating an email confirmation of the order.

92. The method of claim 100, further including the step of communicating an email confirmation of the order.

93. The method of claim 101, further including the step of communicating an email confirmation of the order.

94. The method of claim 102, further including the step of communicating an email confirmation of the order.

95. The method of claim 103, further including the step of communicating an email confirmation of the order.

96. The method of claim 104, further including the step of communicating an email confirmation of the order.

97. The method of claim 105, further including the step of communicating an email confirmation of the order.

98. The method of claim 106, further including the step of communicating an email confirmation of the order.

99. The method of claim 107, further including the step of communicating an email confirmation of the order.

100. The method of claim 108, further including the step of communicating an email confirmation of the order.

101. The method of claim 109, further including the step of communicating an email confirmation of the order.

102. The method of claim 110, further including the step of communicating an email confirmation of the order.

103. The method of claim 111, further including the step of communicating an email confirmation of the order.

104. The method of claim 112, further including the step of communicating an email confirmation of the order.

105. The method of claim 113, further including the step of communicating an email confirmation of the order.

106. The method of claim 114, further including the step of communicating an email confirmation of the order.

107. The method of claim 115, further including the step of communicating an email confirmation of the order.

108. The method of claim 116, further including the step of communicating an email confirmation of the order.

109. The method of claim 117, further including the step of communicating an email confirmation of the order.

110. The method of claim 118, further including the step of communicating an email confirmation of the order.

111. The method of claim 1, further including the step of providing order tracking and delivery information over the Internet for waybill shipping in accordance with the order.

269. The method of claim 1, further including the step of providing order tracking and delivery information over the Internet.

270. The method of claim 2, further including the step of providing order tracking and delivery information over the Internet.

271. The method of claim 3, further including the step of providing order tracking and delivery information over the Internet.

272. The method of claim 4, further including the step of providing order tracking and delivery information over the Internet.

273. The method of claim 5, further including the step of providing order tracking and delivery information over the Internet.

274. The method of claim 6, further including the step of providing order tracking and delivery information over the Internet.

275. The method of claim 7, further including the step of providing order tracking and delivery information over the Internet.

276. The method of claim 8, further including the step of providing order tracking and delivery information over the Internet.

277. The method of claim 9, further including the step of providing order tracking and delivery information over the Internet.

278. The method of claim 10, further including the step of providing order tracking and delivery information over the Internet.

279. The method of claim 11, further including the step of providing order tracking and delivery information over the Internet.

280. The method of claim 12, further including the step of providing order tracking and delivery information over the Internet.

281. The method of claim 13, further including the step of providing order

tracking and delivery information over the Internet.

282. The method of claim 14, further including the step of providing order tracking and delivery information over the Internet.

283. The method of claim 15, further including the step of providing order tracking and delivery information over the Internet.

284. The method of claim 16, further including the step of providing order tracking and delivery information over the Internet.

285. The method of claim 17, further including the step of providing order tracking and delivery information over the Internet.

286. The method of claim 18, further including the step of providing order tracking and delivery information over the Internet.

287. The method of claim 19, further including the step of providing order tracking and delivery information over the Internet.

288. The method of claim 20, further including the step of providing order tracking and delivery information over the Internet.

289. The method of claim 21, further including the step of providing order tracking and delivery information over the Internet.

290. The method of claim 22, further including the step of providing order tracking and delivery information over the Internet.



291. The method of claim 23, further including the step of providing order tracking and delivery information over the Internet.

292. The method of claim 24, further including the step of providing order tracking and delivery information over the Internet.

293. The method of claim 25, further including the step of providing order tracking and delivery information over the Internet.

294. The method of claim 26, further including the step of providing order tracking and delivery information over the Internet.

295. The method of claim 27, further including the step of providing order tracking and delivery information over the Internet.

296. The method of claim 28, further including the step of providing order tracking and delivery information over the Internet.

297. The method of claim 29, further including the step of providing order tracking and delivery information over the Internet.

298. The method of claim 30, further including the step of providing order tracking and delivery information over the Internet.

299. The method of claim 31, further including the step of providing order tracking and delivery information over the Internet.

300. The method of claim 32, further including the step of providing order

tracking and delivery information over the Internet.

301. The method of claim 33, further including the step of providing order tracking and delivery information over the Internet.

302. The method of claim 34, further including the step of providing order tracking and delivery information over the Internet.

303. The method of claim 35, further including the step of providing order tracking and delivery information over the Internet.

304. The method of claim 36, further including the step of providing order tracking and delivery information over the Internet.

305. The method of claim 37, further including the step of providing order tracking and delivery information over the Internet.

306. The method of claim 38, further including the step of providing order tracking and delivery information over the Internet.

307. The method of claim 39, further including the step of providing order tracking and delivery information over the Internet.

308. The method of claim 40, further including the step of providing order tracking and delivery information over the Internet.

309. The method of claim 41, further including the step of providing order tracking and delivery information over the Internet.

310. The method of claim 42, further including the step of providing order tracking and delivery information over the Internet.

311. The method of claim 43, further including the step of providing order tracking and delivery information over the Internet.

312. The method of claim 44, further including the step of providing order tracking and delivery information over the Internet.

313. The method of claim 45, further including the step of providing order tracking and delivery information over the Internet.

314. The method of claim 46, further including the step of providing order tracking and delivery information over the Internet.

315. The method of claim 47, further including the step of providing order tracking and delivery information over the Internet.

316. The method of claim 48, further including the step of providing order tracking and delivery information over the Internet.

317. A method for processing a product order, the method comprising:  
at an order processing center computer;  
receiving customer order data identifying a product to be shipped to a recipient address;  
transmitting data over a data network to a courier computer system, the transmitted data identifying the recipient shipping address;

receiving a response from the courier computer system, the response comprising data representing a shipping waybill;

determining packing list data based on the customer order data;

combining the shipping waybill data with the packing list data to form an integrated shipping record;

electronically transmitting the integrated shipping record from the order processing center to a remotely located distribution center;

at the distribution center; and

printing the integrated shipping record to allow separation of waybill and packing list components to facilitate shipping of the product specified by the packing list component in accordance with the waybill component.

318. The method of claim 317, wherein the data transmitted to the courier computer system further comprises an origination address and shipping cost determination data.

319. The method of claim 318, wherein the shipping cost determination data comprises product weight data.

320. The method of claim 319, further comprising determining the product weight data by querying a database storing records associating products with weight.

321. The method of claim 317, wherein:

the customer order data further comprising data representing a customized message directed to the recipient;

combining to form an integrated shipping record further comprises combining the

data representing the customized message with the waybill data and the product list data; and  
printing the integrated shipping record further comprises printing the customized  
message on a media to be included in packaging shipped to the recipient.

322. The method of claim 321, wherein the media comprises a greeting card.

323. The method of claim 317, further comprising:  
transmitting a order confirmation comprising a tracking number derived from the  
shipping waybill.

324. The method of claim 317, wherein the product to be shipped comprises  
fresh flowers.

325. The method of claim 324, wherein the distribution center is co-located with  
a fresh flower production facility providing a supply of fresh flowers for shipping.

### **Evidence Appendix**

Below is Exhibit A, a Memorandum from the USPTO dated March 18, 2002.

**Memorandum**

Date: March 18, 2002

To: Technology Center Directors  
Patent Examining Corps

From: *Stephen G. Kunin*  
Stephen G. Kunin  
Deputy Commissioner for Patent Examination Policy

Subject: Rejections Based on Undue Multiplicity

It has been brought to my attention that some examiners are issuing second and subsequent Office actions based solely on unusual technical rejections such as undue multiplicity. This is not in accord with published patent examination policy, which ensures that patent applicants obtain a prompt yet complete examination of their applications. Under the principles of compact prosecution, each claim should be reviewed for compliance with every statutory requirement for patentability in the initial review of the application. Compact prosecution includes a complete first action on the merits, a search of the prior art, a minimum number of actions, and an early indication of allowable subject matter.

The Office does recognize that when applicants present large number of claims to one invention in a single application, that large number of claims may create burden to the examiner, but nevertheless, Office policy is that absent basis for a restriction requirement, applicants are entitled to an examination of the claims presented provided applicants pay the required fees and otherwise comply with the statute. While undue multiplicity rejections based on 35 U.S.C. 112, 2<sup>nd</sup> paragraph are set forth in MPEP 2173.05(n), such rejections should be applied judiciously and should be rare.

As noted by the court in *In re Flint*, 411 F.2d 1353, 1357, 162 USPQ 228, 231 (CCPA 1969), "applicants should be allowed reasonable latitude in stating their claims in regard to number and phraseology employed. The right of applicants to freedom of choice in selecting phraseology which truly points out and defines their inventions should not be abridged. Such latitude, however, should not be extended to sanction that degree of repetition and multiplicity which beclouds definition in a maze of confusion. The rule of reason should be practiced and applied on the basis of the relevant facts and circumstances in each individual case." Where applicant presents an unreasonable

number of claims in view of the nature and scope of applicant's invention, which are repetitious and multiplied with a net result of which is to confuse rather than to clarify, a rejection on undue multiplicity based on 35 U.S.C. 112, 2<sup>nd</sup> paragraph may be appropriate. In such case, the examiner should contact applicant by telephone explaining that the claims are unduly multiplied and will be rejected under 35 U.S.C. 112, 2<sup>nd</sup> paragraph. The examiner should also request that applicant select a specified number of claims for purpose of examination. If applicant is willing to select, by telephone, the claims for examination, an undue multiplicity rejection on all the claims based on 35 U.S.C. 112, 2<sup>nd</sup> paragraph should be made in the next Office action along with an action on the merits on the selected claims. If applicant refuses to comply with the telephone request, an undue multiplicity rejection of all the claims based on 35 U.S.C. 112, 2<sup>nd</sup> paragraph should be made in the next Office action. Applicant's reply must include a selection of claims for purpose of examination, the number of which may not be greater than the number specified by the examiner. In response to applicant's reply, if the examiner adheres to the undue multiplicity rejection, it should be repeated and the selected claims will be examined on the merits. This procedure preserves applicant's right to have the rejection on undue multiplicity reviewed by the Board of Patent Appeals and Interferences.



**Related Proceedings Appendix**

There are no related proceedings.